BUDDHIST NUNS, MONKS, AND OTHER WORLDLY MATTERS

Recent Papers on Monastic Buddhism in India

GREGORY SCHOPEN

BUDDHIST NUNS, MONKS, AND OTHER WORLDLY MATTERS

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Recent Papers on Monastic Buddhism in India

Gregory Schopen

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To

the memory of Calvert Watkins

(1933–2013)

and to

the future of Mr. Jack

(2012–)

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THIS IS THE FOURTH VOLUME of papers that the University of Hawai'i Press has been willing to take a chance on, and I am immensely grateful for, if not its confidence, at least its foolhardiness. I am equally grateful to Patricia Crosby for shepherding every one of the volumes from manuscript to published book. Having been raised above 8,000 feet, she has long been proficient in looking after all sorts of lost sheep, myself included. Equally involved and supportive in all four volumes has been Luis Gómez. He remains a friend and my model of the gentleman scholar.

Although the laws of nature and the vagaries of human relationships have taken their toll, the cast of characters that peopled the previous acknowledgments, while smaller, remains otherwise pretty much the same here. My mother no longer calls 911 to insist that she must have her gall bladder removed, having reached, we think, the peace that passes understanding. My sister Barbara—always my favorite—has become even more special, though no less funny. Our time together every year in Mexico renews me even though it plays havoc with my liver. Two old friends make impending old age amusing: John Thiel, even more bald and ever more cantankerous, and Hal Roth, still a marvel of sartorial asymmetry. Also in New England—where I unexpectedly find myself—are Phyllis Granoff and Koichi Shinohara. Their regular salons will be sorely missed by all who had the pleasure of attending. One of the "new" papers in this volume (Ch. XVI) was first given at one such event, and several more of the papers first appeared in Phyllis' journal.

In Texas, there is Patrick Olivelle—now retired—who for almost thirty years has been a fixed point on my compass, who has encouraged and aided me both personally and intellectually. One of the papers in this volume is dedicated to him (Ch. IV) and many more could have been. Another old and important friend and colleague is Gérard Fussman, now retired from the Collège de France. For twenty-five years we have exchanged views and arguments, and I have learned much from his uncanny point of view and clarity. One of the papers reprinted here (Ch. VII) was first presented in a preliminary version at his invitation in Paris, and another, which did not fit into the parameters of this volume, is dedicated to him. Equally old is my debt to Oskar von Hinüber, also now retired. From the beginning of what passes for my career he has supported my work even though he often could not have agreed with it, and he has taught me much by his own work. Another of the papers in this volume is dedicated to him (Ch. XI). Although we meet all too rarely, Richard Solomon—happily, not yet retired—has also been for many years now a consistent model of fine scholarship for me, and a friend.

But lest the impression be left that I appreciate and am owing only to old guys, let me say how very much I have already learned from Shayne Clarke in particular, but all my recent students. Shayne in Canada, Kishino Ryoji (mgo reg) in Japan (I think—I never know quite where he is), and Wayne Bass in America, as well as Yao Fumi in Japan and Jens Borgland in Norway (the last two not my students although I wish they were). All of them give me hope for the future and will allow me to shuffle off my increasingly mortal coil knowing the *Mūlasarvāstivāda-vinaya* is in good and capable hands. And Jason McCombs may yet succeed where I have not and convince his elders that there are much more interesting things to do with the Mahāyāna than talk in circles about the old, moribund, and frankly boring topic of its origins. I wish them all well and thank them.

There are also old colleagues and good friends at UCLA where virtually all these papers were written: William Bodiford, who is still our guide for all things LA; John Duncan, who pointed me to the wonders of Skull Valley; Robert Buswell, although I rarely know exactly where he is either even though his office is next to mine; and Bob Brown, who always makes a walk across campus worthwhile. But also the young ones, especially Natasha Heller and Jack Chen and, of course, Damien. Over their years in LA, however, Calvert Watkins and Stephanie Jamison have become special friends. Keeping up with them intellectually was all but impossible—I never got Calvert's jokes in old Irish, nor, I admit, did I get much out of the Hittite dialogue in the movie he took us to, but his company was always grand, the food excellent, the drink copious. We will miss him very much. Stephanie has been both a friend and a source of all things Sanskritic. Several of the papers included here appeared in the journal she so competently and devotedly edits. We are looking forward to many more years of her company.

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The nineteen papers in this volume were all written in a ten-year span, the earliest appeared in 2002, the most recent in 2013. Two are published here for the first time (Chs. V and XVI). To two I have added some additional material at the end (Ch. X, which began its life as only a footnote, and Ch. XII). I have also inserted some Sanskrit equivalents into the translation given in Chapter IX, and added some notes to it, and occasionally inserted in brackets new or clarifying or corrective material in other chapters—but only occasionally. Otherwise, apart from small stylistic changes, the papers have not been altered. Someone else will have to do that. For convenience sake, the original page numbers have been inserted in square brackets throughout, and as in all the previous volumes there is a certain amount of repetition, overlap, and inconsistency. Compared to the overall content this should prove to be only a minor irritant.

ABBREVIATIONS

ABORI	*Annals of the Bhandarkar Oriental Research Institute*
Adhikaraṇavastu (Gnoli)	R. Gnoli, ed. *The Gilgit Manuscript of the Śayanāsanavastu and Adhikaraṇavastu* (Serie Orientale Roma 50) (Rome: 1978)
ArA	*Artibus Asiae*
Avadānaśataka (Speyer)	J. S. Speyer, *Avadānaçataka. A Century of Edifying Tales Belonging to the Hīnayāna* (Bibliotheca Buddhica 3.1–2), 2 Vols. (St. Petersburg: 1902–1909)
BEFEO	*Bulletin de l'école française d'extrême-orient*
Bhikṣuṇī-vinaya (Roth)	G. Roth, *Bhikṣuṇī-vinaya. Including Bhikṣuṇī-prakīrṇaka and a Summary of the Bhikṣu-prakīrṇaka of the Ārya-Mahāsāṃghika-Lokottaravādin* (Patna: 1970)
Bhikṣu-prātimokṣa (Banerjee)	A. C. Banerjee, *Two Buddhist Vinaya Texts in Sanskrit. Prātimokṣa Sūtra and Bhikṣukarmavākya* (Calcutta: 1977)
BHSD	F. Edgerton, *Buddhist Hybrid Sanskrit Dictionary* (New Haven: 1953)
BHSG	F. Edgerton, *Buddhist Hybrid Sanskrit Grammar* (New Haven: 1953)
Derge	*The Tibetan Tripitaka. Taipei Edition*, ed. A. W. Barber (Taipei: 1991). References to texts in the *bka' 'gyur* will give section—original volume letter—original folio number—line; for texts in the *bstan 'gyur* the form will be the

	same, but will be explicitly marked as referring to the *bstan 'gyur.*
Divyāvadāna (Cowell & Neil)	E. B. Cowell and R. A. Neil, *The Divyāvadāna. A Collection of Early Buddhist Legends* (Cambridge: 1886)
EI	*Epigraphia Indica*
Gilgit Buddhist Manuscripts	R. Vira and L. Chandra, eds. *Gilgit Buddhist Manuscripts* (Facsimile Edition) (Śata-Piṭaka Series, Vol. 10[6]) (New Delhi: 1974), Pt. 6
GMs	N. Dutt, ed., *Gilgit Manuscripts,* Vol. 3, Pt. 1 (Srinagar: 1947); Vol. 3, Pt. 2 (Srinagar: 1942); Vol. 3, Pt. 3 (Srinagar: 1943); Vol. 3, Pt. 4 (Calcutta: 1950). Cited by volume, part, page, and line
Horner, *BD*	I. B. Horner, *The Book of the Discipline (Vinaya Piṭaka)* (Sacred Books of the Buddhists 10, 11, 13, 14, 20, 25) (London: 1938–1966)
HR	*History of Religions*
IHQ	*The Indian Historical Quarterly*
IIJ	*Indo-Iranian Journal*
JA	*Journal asiatique*
JAOS	*Journal of the American Oriental Society*
JASBom	*Journal of the Asiatic Society of Bombay*
Jäschke	H. A. Jäschke, *A Tibetan-English Dictionary* (London: 1881)
JBRS	*Journal of the Bihar Research Society*
JIABS	*Journal of the International Association of Buddhist Studies*
JIP	*Journal of Indian Philosophy*
JPTS	*Journal of the Pali Text Society*
JRAS	*Journal of the Royal Asiatic Society*
Monier-Williams	M. Monier-Williams, *A Sanskrit-English Dictionary* (Oxford: 1899)
Pāli *Vinaya*	H. Oldenberg, *The Vinaya Piṭaka. One of the Principal Buddhist Holy Scriptures in the Pāli Language,* 5 Vols. (London: 1879–1883)

Pātimokkha (Pruitt & Norman)	W. Pruitt and K. R. Norman, *The Pātimokkha* (Sacred Books of the Buddhists 49) (Oxford: 2003)
Peking	D. T. Suzuki, ed., *The Tibetan Tripitaka, Peking Edition. Reprinted under the Supervision of the Otani University, Kyoto*, 169 Vols. (Tokyo: 1955–1961)
Poṣadhavastu (Hu-von Hinüber)	H. Hu-von Hinüber, *Das Poṣadhavastu* (Studien zur Indologie und Iranistik. Monographie 13) (Reinbek: 1994)
Pravrajyāvastu (Eimer)	H. Eimer, *Rab Tu 'Byuṅ Ba'i Gži. Die tibetische Übersetzung des Pravrajyāvastu im Vinaya der Mūlasarvāstivādins* (Asiatische Forschungen Bd. 82), 2 Vols. (Wiesbaden: 1983)
Pravrajyāvastu (Vogel & Wille)	C. Vogel and K. Wille, *Some Hitherto Unidentified Fragments of the Pravrajyāvastu Portion of the Vinayavastu Manuscript Found near Gilgit.* Nachrichten der Akademie der Wissenschaften in Göttingen I. Philologisch-Historische Klasse. Jahrgang 1984, Nr. 7 (Göttingen: 1984) 299–337
Saṅghabhedavastu (Gnoli)	R. Gnoli, ed. *The Gilgit Manuscript of the Saṅghabhedavastu* (Serie Orientale Roma 49.1 & 2) (Rome: 1977–1978), Pts. I and II
Śayanāsanavastu (Gnoli)	R. Gnoli, ed. *The Gilgit Manuscript of the Śayanāsanavastu and Adhikaraṇavastu* (Serie Orientale Roma 50) (Rome: 1978)
Schopen, *BMBM*	G. Schopen, *Buddhist Monks and Business Matters. Still More Papers on Monastic Buddhism in India* (Honolulu: 2004)
Schopen, *BSBM*	G. Schopen, *Bones, Stones, and Buddhist Monks. Collected Papers on the Archaeology, Epigraphy, and Texts of Monastic Buddhism in India* (Honolulu: 1997)
Schopen, *FFMBI*	G. Schopen, *Figments and Fragments of Mahāyāna Buddhism in India. More Collected Papers* (Honolulu: 2005)
Schopen, *HHBMC*	G. Schopen, "Hierarchy and Housing in a Buddhist Monastic Code. A Translation of the Sanskrit Text of the *Śayanāsanavastu* of the *Mūlasarvāstivāda-vinaya*. Part One," *Buddhist Literature* 2 (2000) 92–196

SRAA	*Silk Road Art and Archaeology*
Tog	*The Tog Palace Manuscript of the Tibetan Kanjur*, 109 Vols. (Leh: 1975–1980). Cited by volume, folio number assigned in the reprint (not by original pagination), and line
TP	*T'oung Pao*
TRAS	G. N. Roerich, *Tibetsko-russko-angliiskii slovar' s sanskritskimi paralleliami*, 10 Vols. (Moscow: 1983–1987)
TSD	L. Chandra, *Tibetan-Sanskrit Dictionary* (New Delhi: 1959–1961; repr. Kyoto: 1971)
Vinayasūtra (Bapat & Gokhale)	P. V. Bapat and V. V. Gokhale, *Vinayasūtra and Auto-Commentary on the Same by Guṇaprabha* (Tibetan Sanskrit Works Series XXII) (Patna: 1982)
Vinayasūtra (Sankrityayana)	R. Sankrityayana, *Vinayasūtra of Bhadanta Guṇaprabha* (Singhi Jain Śāstra Śikṣāpīṭha. Singhi Jain Series 74) (Bombay: 1981)

Nuns

CHAPTER I

The Urban Buddhist Nun and a Protective Rite for Children in Early North India

It might well be that one of the most important characteristics of Buddhist nuns in early North India has been either overlooked or undervalued. Little attention, at least, has been paid to the question of where Buddhist nuns lived.[1] On the basis of monastic rules that prescribe the location of male monasteries, it has been axiomatically assumed that Buddhist monks lived outside towns or cities. These rules are, in fact, almost the only "evidence" that is cited in identifying almost all the monasteries that are known from the archaeological record as male monasteries: it has been assumed that since the location of the complexes that archaeology has revealed corresponds to the location prescribed for male monasteries in monastic rules these complexes must be male.[2] Curiously, the same credence has not been given to monastic rules that dictate the location of female monasteries. Indeed, these rules have rarely even been noticed, and certainly not ever fully explored, and yet it is already clear that several distinct Buddhist traditions had rules prohibiting nuns from living in the "forest," and some, at least, required that their "monasteries" be in towns or cities. But if these rules regarding the location of female monasteries are given the same evidential value as those regarding male monasteries, this should mean that there is an equally good case for identifying Buddhist buildings or complexes found inside towns or cities as "nunneries" or "convents." Such a case, however, has nowhere yet been made.[3]

Obviously all the textual and archaeological material cannot be reviewed here, but one of the most straightforward of the monastic rules might at least be cited. It is delivered in a short little text in the *Kṣudrakavastu* of the *Mūla*[360]*sarvāstivāda-vinaya*[4] that, in addition, provides the technical term used in the Mūlasarvāstivādin tradition to refer to a female monastery or nunnery, and this term is even now commonly misunderstood.

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> *gleng gzhi ni mnyan du yod pa na ste /bcom ldan 'das kyis dge slong ma dgon pa la gnas par mi bya'o zhes gsungs pa dang / de dag tshong dus dang / srang dang / lam gyi sum mdo dag tu bsam gtan la zhugs pa na de yang nyes pa'i dmigs su gyur te / de ltar gyur pa dge slong dag gis bcom ldan 'das la gsol nas / bcom ldan 'das kyis de lta bas na dge slong ma dag dbyar mo khang na gnas par bya'o zhes bka' stsal pa dang / dad pa'i bram ze dang / khyim bdag dag gis bcom ldan 'das kyis dge slong ma rnams la dbyar mo khang gnang ngo zhes thos nas / de dag gis grong khyer gyi phyi rol du dge slong ma'i dbyar mo khang brtsigs pa dang / dge slong ma dag la de bzhin du mi rgod dang / nal gyi bu dang / su'i bu gtol med pa dag glags lta bar gyur nas de ltar gyur pa dge slong dag gis bcom ldan 'das la gsol pa dang / bcom ldan 'das kyis de lta bas na dge slong ma'i dbyar mo khang grong khyer gyi phyi rol du ma brtsig par grong khyer gyi nang du brtsig par bya'o zhes bka' stsal to /*[5]

> The setting was in Śrāvastī, and the Blessed One had said: "A nun must not live in the forest (*araṇya*)!," and when they entered into a state of concentration in a market place and on a street and at intersections there were also difficulties (*ādīnava*). The monks having reported to the Blessed One what had occurred, the Blessed One said: "Therefore, nuns must live in a retreat house (*varṣaka*)!" But when devout brahmins and householders had heard it said "The Blessed One has ordered retreat houses for nuns," they built the retreat house for nuns outside the city, and when ruffians, bastards, and those of dubious character saw thus an opportunity for getting hold of the nuns, the monks reported to the Blessed One what had occurred, and the Blessed One said: "A retreat house for nuns must therefore not be built outside the city, but must be built within the city!"

[361] The first point of interest here is a lexical one since the Mūlasarvāstivādin tradition, perhaps more clearly than other *Vinaya* traditions, has and uses a specific term to refer to female monasteries or nunneries, even if this has not been commonly recognized. That term is translated into Tibetan as *dbyar khang* or *dbyar mo khang,* which occurs four times in this little text, and the Sanskrit here is not in doubt: *dbyar khang* or *dbyar mo khang* are translating *varṣaka.*[6] Unfortunately the term is not common in the parts of the *Mūlasarvāstivāda-vinaya* that were available in Sanskrit to Edgerton, and this is almost certainly one of the reasons he did not notice the specific association of the term *varṣaka* with nuns. Another may be that in a minority of cases the residence of nuns, like the residence of monks, even in this literature is referred to by the term *vihāra.* But the term *varṣaka* or its Tibetan translation occurs hundreds of times in this *Vinaya* and, again, there is no doubt about what it refers to. *Dbyar khang* occurs, for example, at least ten times in the *Bhikṣuṇī-prātimokṣa* preserved in Tibetan, and when these occurrences are compared with the corresponding rules in the *Prātimokṣa* for monks a clear pattern emerges: *Pāyantika* 15 of the male rules deals with leaving mats out in the *vihāra,* but in the corresponding female rule the mats are left out in the *dbyar khang* or

varṣaka; Pāyantika 16 in the male rules deals with one monk throwing another out of a *vihāra*, but in the parallel female rule one nun drives another out of the *dbyar khang;* where the male rules deal with having "a large *vihāra*" built, in the female rules it is "a large *varṣaka*" (*dbyar khang chen mo*); and so forth.[7] What monks do, in other words, they do in *vihāras;* what nuns do they do in *varṣakas;* while monks have *vihāras* built, nuns have *varṣakas* built. But the use of the term *varṣaka* to refer to "female monasteries" occurs not only in both narrative and rules throughout the *Mūlasarvāstivāda-vinaya,*[8] it is also explicitly recognized in commentaries, [362] and this usage—not surprisingly—is duly recorded in modern dictionaries. In Vinītadeva's *Vinayavibhaṅgapadavyākhyāna,* for example, *dbyar khang* (*varṣaka*) is glossed in the following way: *dbyar khang zhes bya ba ni dge slong ma'i gtsug lag khang ngo,* "In regard to the word *varṣaka,* it is (means) a *vihāra* for nuns."[9] Roerich's *Tibetan-Russian-English Dictionary* gives as the second meaning under *dbyar khang* "Buddhist nun's monastery,"[10] and the *Bod rgya tshig mdzod chen mo* also gives as a definition of the term *dge slong ma'i sdod khang,* "The residence/living quarters of a nun,"[11] and this usage is specifically marked there as old. In the face of all this it is unfortunate that even recent work specifically focused on the Mūlasarvāstivādin tradition has not recognized the term *varṣaka* for what it is.

But if our little *Kṣudrakavastu* text explicitly declares that nuns must live in *varṣakas,* it also—and more importantly—explicitly rules that a *varṣaka,* or nunnery, must be built *in* towns or cities, *not* outside of them. Notice that this rule in our Mūlasarvāstivādin account follows directly from a previous rule forbidding nuns to live in the forest (*araṇya*),[12] and at least three other traditions—the Mahāsāṃghika, Dharmaguptaka, and Pāli traditions—all have such a rule; Nolot, in fact, seems to say that "tous les Vinaya" did.[13] If this is so—and that has yet to be demonstrated—and since such a rule would seem to allow few other alternatives, the expectation might be that these other traditions would also have an explicit rule requiring their nuns to live in towns and cities. The Pāli tradition, indeed, has a similar injunction, but it is not an actual canonical rule since it is not delivered in its *Vinaya,* but in a commentary, and is addressed to a layman, not to monks. In the *Dhammapada-aṭṭhakathā,* at a time before nuns were forbidden to live in the forest, the text explicitly says, the Nun [363] Uppalavaṇṇā did so and was raped. As a result the Buddha summoned King Pasenadi and said to him:

> "Therefore, a place of residence [*vasanaṭṭhāna*] for the Community of Nuns should be erected within the city" [*antonagare*]. The king agreed to this and had a place of residence for the Community of Nuns erected on one side of the city [*nagarassa ekapasse*]. From that time on the nuns resided only within the city [*tato paṭṭhāya bhikkhuṇiyo antogāme yeva vasantī ti*].[14]

The Mahāsāṃghika tradition too alludes on several occasions to rules forbidding nuns from living in the forest and requiring their residence in towns, although in these instances it is not clear that the latter has already happened. All such evidence, and each of the traditions, needs to be much more carefully studied in regard to this issue, of course, and at the moment all that can be said is that the Mūlasarvāstivādin tradition certainly, and with characteristic clarity, requires by rule that its nunneries be located in towns, and there are some indications that other traditions may have done so as well.[15]

Obviously, if such rules were translated into actual practice Buddhist nuns would have found themselves in, quite literally, a very different position from that of monks. They would have been, again quite literally, embedded in their local urban environment, and forced to deal with a host of situations and problems which monks avoided simply by virtue of the location of their *vihāras*. The different locations of *upāśraya* and *vihāra* may in fact turn out to be the single most important difference between Buddhist nuns and Buddhist monks, and it alone may best account for many of the significant differences in the rules governing both. Certainly, the *Mūlasarvāstivāda-vinaya* deals with a large number of situations, and delivers a large number of rules, which would appear to be best explained by an urban location for the nuns it was addressed to. Here we can look at only one of these, but it is one that might be of parti[364]cular interest because it seems to deal with a situation of direct competition and conflict between Buddhist nuns and other urban religious women. The canonical account of the incident occurs in the long section of the Mūlasarvāstivādin *Kṣudrakavastu* devoted to nuns that has already been referred to.

> *gleng gzhi mnyan yod na'o /*
>
> *sbom dga' mo snga dro sham thabs bgos chos gos dang lhung bzed thogs te mnyan yod du bsod snyoms kyi phyir zhugs pa dang / ltas ma mo zhig dril bu thogs te 'gro ba des mthong ste / des bsams pa thabs de ni bzang po zhig ste / bdag gis kyang bya'o snyam nas / des dril bu nye bar bsgrubs te / de nas phyi de nyin par dril bu khyer te / mnyan yod du zhugs nas / khye'u dang bu mo khrus bya bar brtsams nas / bdug spos la bsnams shing dril bu dkrol nas lung bstan to / des gang dang gang gi khye'u dang bu mo khrus byas pa de gnas babs su bde legs su gyur cing des lung bstan pa yang de bzhin gyur to /*
>
> *sbom dga' mo la mnyan yod na rgyas par dngos grub thob par gyur to zhes gang dang gang du ltas ma mo dgos par gyur pa dang / sbom dga' mo de'i drung du 'ongs te 'dri zhing ltas ma mo la su yang mi 'dri nas / de ched du bram ze dang khyim bdag gi drung du nye bar song ste smras pa / gtor ma dang lung bstan par bya'o zhes gang dang gang gi khyim du nye bar song ba dang / de dang de dag gis smras pa bdag cag gi gtor ma dang lung bstan pa byas zin no / sus lung bstan / de dag gis 'phags ma sbom dga' mos so zhes smras pa dang / dge sbyong shākya'i bu'i dge sbyong rnams ni tshig pa'o / tshang par spyod pa ni tshig pa ste / gang gi phyir da ltar gzhan dag gi 'tsho ba 'phrog pa'o zhes*

> *'phya bar byed / smod par byed / kha zer bar byed pa'i skabs de dge slong de dag gis thos te / bcom ldan 'das la gsol pa dang / bcom ldan 'das kyis dgongs pa nyes dmigs gang yin pa ni dge slong mas lha'i gzugs bcangs pa las gyur te / de lta bas na dge slong mas lha'i gzugs 'chang bar mi bya bar mkhyen nas bka'stsal pa / dge slong dag ltas ma mo de dag 'phya ba'i gzhi ni shom dga' mo'i tshul bzhin ma yin pa'i spyod pa ste / nyes dmigs gang yin pa ni dge slong mas lha'i gzugs 'chang ba yin pas de lta bas na dge slong ma rnams kyis lha'i gzugs bcang bar mi bya'o / dge slong mas lha'i gzugs bcangs na 'gal tshabs can du gyur ro //*[16]

The setting was in Śrāvastī.

Sthūlanandā put on her inner garment in the morning and, carrying her robe and bowl, set out in Śrāvastī for alms. She saw a female soothsayer (*naimittakā*) going along carrying a bell and she thought: "This craft is a good one; I too should do this." Having thought that she got a bell and then, the following day, when she had set out in Śrāvastī carrying a bell, had ritually bathed a young boy or girl, and taken up incense [365] and rung the bell, she prophesied.[17] Whoever's young boy or girl she ritually bathed, that one, in the event, turned out well, and that which she prophesied also turned out to be so.

It being said of Sthūlanandā everywhere in Śrāvastī that she achieved success, whenever someone needed a soothsayer they went to Sthūlanandā and asked her, and when no one asked the female soothsayer she, on that account, went to brahmins and householders and said: "An offering and prophesy should be made." But whichever house she approached each one said, "Our offering and prophesy is already done."

"Who prophesied?"

They said: "It was done by the Noble Sthūlanandā," and she [i.e., the *naimittakā*] was contemptuous, critical and complained, saying: "The exertions of Buddhist *śramaṇas* have gone up in smoke, their practice of the religious life has gone up in smoke, since now they steal the livelihood of others."

The monks heard about this situation, and they reported it to the Blessed One.

The Blessed One thought to himself: "There could be some trouble when a nun employs[18] the form of a god—therefore a nun must not employ the form of a god." Having thought that he said: "Monks, there is indeed a basis for the criticism by the female soothsayer—the practice of Sthūlanandā is unsound. Since a nun employing the form of a god is some trouble, nuns therefore must not employ the form of a god! If a nun employs the form of a god she comes to be guilty of an offense."

Undoubtedly some things in this little text would seem to require further comment and, happily, Śīlapālita's *Āgamakṣudrakavyākhyāna*, a commentary on the *Kṣudrakavastu*, provides some. Śīlapālita's commentary is sometimes a little [366] thin and frequently appears to be frustratingly selective, but for our text it is fairly full, although not always entirely clear:

ma 'ongs pa lung ston pa'i sgo nas 'tsho ba rtog par byed pa dang / khye'u dang bu mo dag
gtor ma dang gla zan byin pa'i sgo nas srung bar byed pa gang yin pa de ni lha bon mo'o /
dril bu dkrol zhin zhes bya ba ni dri ma med pa dgrol bar brel bar gyur pa'o / ci'i
phyir zhe na / ston pa'i phyir zhes smos pa yin no /
sngon gyi las kyis ni 'phral du'am las kyi shugs kyis so /
dkyil 'khor dang me tog la sogs pa lung ston par byed pa la nye bar mkho ba ni lha'i
gzugs brnyan me tog dang bdug pa dang dril bu la sogs pa'i tshogs dang ldan pa ni lha
rten yin na /[19]

All, again, is not immediately obvious here, and that is so perhaps for several good reasons. First of all, both text and commentary appear to be dealing with a "folk" ritual procedure the details of which are not fully described or easily available elsewhere. Second, the Tibetan translations of the canonical text and of the commentary were done by different hands at different times, and key terms appear not to have been rendered in the same way: where the text has *ltas ma mo*—translating a presumed *naimittikā*, "female soothsayer"—the commentary has *lha bon mo;* where the canonical text has *lha'i gzugs*—which, as we will see, might be translating *devacchanda*, "the form or appearance of a god"—the commentary has *lha rten.*[20] And third, there are some indications in what he says that Śīlapālita was commenting on a text of the *Kṣudrakavastu* which differed sometimes and somewhat from the one that is repre[367]sented by the translation now found in the *Bka' 'gyur*—he appears, for example, to gloss a phrase (*sngon gyi las kyis*) which does not occur in the translation of the canonical text. Again as we will see, Guṇaprabha may also have known a variant version of the text.

Keeping these considerations in mind, and the fact that they will make any translation merely provisional, Śīlapālita might be rendered as:

> She who makes known their life by prophesying the future, and who effects the protection of young boys and girls on account of being given an offering and a wage, she is a female soothsayer.
>
> In regard to the words "ringing the bell"—she has engaged in releasing what (or who) is without obscurity.[21] Why is that? It is said "for the sake of revealing."
>
> In regard to "by former acts"—it is by the force of the unforeseen or of acts.
>
> In regard to what is indispensable for prophesying, a *maṇḍala*[22] and flowers, etc., in regard to a likeness of the god provided with a multitude of flowers and incense and bells, etc.—this is the form of the god.

In the absence of a Sanskrit text, and in spite of the problems already mentioned, still at least an approximate sense of Śīlapālita's remarks seem to be clear enough. And assuming that *ltas ma mo* and *lha bon mo* are only variant translations of Sanskrit *naimittikā*, his description of the female soothsayer is particularly valuable.[23] It will, however, have been noted that there is at least one significant difference between the canonical text and Śīlapālita's commentary in regard to what the *naimittikā* does, in addition to prophesying. Although there is at least a hint in the canonical text that the ritual activity undertaken by the *naimittikā* was meant in part to be protective of the children, this depends on how the phrase *bde legs su gyur cing* is precisely understood—it could also mean "(the child) recovered," or even "was cured." Read in this way [368] the *naimittikā* would seem to be performing a healing ritual for sick children. But the canonical text also, and twice, says that Sthūlanandā, when acting as a *naimittikā*, "bathed" or "washed" the children—*khrus bya bar brtsams nas, khrus byas pa*. The Tibetan verb here perhaps most commonly translated some form from √*snā*, but such forms, like the Tibetan equivalent, as often as not refer to ritual acts rather than matters of hygiene. This in turn would rather seem to suggest that the *naimittikā* performed a kind of "baptismal" ritual, although, again, all such rituals seem to have a more or less pronounced prophylactic or protective aspect as well. In light of the reference in the canonical text—again, not just once, but twice—to ritually bathing or washing the child, the fact that Śīlapālita makes no reference at all to such an action would seem to be striking. In Śīlapālita the emphasis would appear to be turned more toward the protective function of the *naimittikā*'s activity. And an even more pronounced shift in emphasis is found elsewhere.

Śīlapālita is not the only scholiast who has dealt with our text. Guṇaprabha has both extracted the rule delivered by our text in his *Vinayasūtra*, and commented on it in the auto-commentary he wrote on his own *sūtras* entitled the *Vinayasūtra-vṛtti-abhidhānasvavyākhyāna*. Dharmamitra and Prajñākara also comment on it in their commentaries on the *Vinayasūtra*.

Guṇaprabha's statement or restatement of the bare rule has come down to us in Sanskrit in the *Vinayasūtra*. It may or may not represent the actual wording that occurred in the Sanskrit text of the *Kṣudrakavastu* and reads:

> *na devacchandaṃ dhārayet*[24]
>
> She should not employ the form of a god.

The compound *devacchanda* is by no means common and seems to be of a linguistic register that is not typical of the vocabulary of the *Mūlasarvāstivāda-vinaya*. It may therefore represent Guṇaprabha's rewording and reflect his far richer and more sophisticated lexicon. But postponing for a moment the question of the precise meaning of *devacchanda*, or the exact nature of the material object that a *naimittikā* carried but a Buddhist nun should not, it might first be noted that both

Guṇaprabha and Dharmamitra give either a variant version of our *Kṣudrakavastu* text, or an "edited" paraphrase of it, in which there is not only no reference to ritually bathing the children, but no reference to prophesying either. The text in both is almost identical, and the variants from Dharmamitra (= DH) are inserted in brackets here to demonstrate this:

> *lha rten bcang bar mi bya'o zhes bya ba ni sbom dga' mo mnyan yod du bsod snyoms la zhugs pa na / des lha bon mo lha rten thogs shing rgyu ba zhig mthong nas / sbom* [369] *dga' mos bsams pa / thabs 'di ni bzang po zhig yin pas / bdag gis* [DH inserts *kyang*] *sang shes par bya'o snyam nas / de'i* [DH: *de*] *phyi de'i* [DH: *de*] *nyin par lha rten thogs te / mnyan yod du zhugs nas /* [DH inserts *de* here] *khye'u dang bu mo dag la srung skyob byed cing des gang dang gang la srung skyob* [DH: *bsrung bskyab*] *byas pa de dang de dag bde bar gnas par gyur nas / de'i phyir* [DH: *de'i tshe*] *gang dang gang dag la srung skyob* [DH: *bsrung bskyab*] *bya dgos par gyur* [DH: *'gyur*] *pa de dag thams cad kyis sbom dga' mo srung skyob byed du'jug par byed na* [DH: *nas*] *lha bon mo 'phya bar gyur pa nas / ji srid* [DH: omits] *bcom ldan 'das kyis bka' stsal pa / de lta bas na dge slong mas lha rten bcang bar mi bya'o zhes bya ba'i bar du gsung pa yin no /*[25]
>
> In regard to the words "She should not employ the form of a god," the account is: "When Sthūlanandā was setting out in Śrāvastī for alms, after having seen a female soothsayer [or perhaps: shaman] going around carrying the form of a god, Sthūlanandā thought to herself: 'This craft is a good one—I should be able to do it tomorrow.' Having thought that, the next day when she set out in Śrāvastī carrying the form of a god she performed (a rite for) the protection and defense of young boys and girls, and when whichever one for whom she performed the (rite of) protection and defense lived in prosperity, and when on account of that everyone who had need of (a rite for) protection and defense prevailed upon Sthūlanandā to perform the protection and defense, and the female soothsayer [or: shaman] complained, then the Blessed One said: 'Therefore, a nun must not employ the form of a god.'"

The account of Sthūlanandā's activity in Śrāvastī found in Guṇaprabha and Dharmamitra given here is, obviously, not exactly the same as that found in the canonical *Vinaya,* but—and this is equally obvious—neither is it entirely different. In Guṇaprabha and Dharmamitra, Sthūlanandā sees the *naimittikā* carrying "the form of a god," not a bell. In fact, although both the canonical text and Śīlapālita refer to a bell and ringing a bell, Guṇaprabha and Dharmamitra make no reference to it at all. Nor do they refer to the incense of the canonical text, or the "*maṇḍala* and flowers, etc." of Śīlapālita. If Guṇaprabha and Dharmamitra are referring to the same thing as the canonical text and Śīlapālita, then these specific elements must be concealed under the expression "the (rite for) protection and defense": they may have assumed that everyone would have known that these elements and procedures formed a part of, or [370] defined, such a rite. The same consideration may account for the lack of any explicit references to "bathing" and prophesying—they again may have assumed that their audience would have known that "a (rite for) protection and defense" performed for children by a *naimittikā* involved both, and therefore did not need explicit mention.[26] It is, of course, possible to account for these differences in other ways as well. It is possible, for example, to see in these differences evidence of the fact that the canonical text that we have had circulated in more than one version, that, in effect, Guṇaprabha and Dharmamitra were working from a version of the text that was different from the one that we have. But there is at least one consideration that would seem to work against this.

When Guṇaprabha directly quotes the canonical *Vinaya* in his auto-commentary—and he does so frequently—these quotations are characteristically formally marked as such. They are usually preceded, less often followed, by phrases like *tathā ca granthaḥ,* "and this is the (canonical) text"; *vinaye uktam,* "it is said in the *Vinaya*"; *ity atra granthaḥ,* "the (canonical) text here is"; *grantho 'tra,* "the (canonical) text is here." Sometimes his wording is more specific: *atra granthaḥ nidānāt,*"here the (canonical) text is from the *Nidāna* [now a section of the *Uttaragrantha*]"; *grantho 'tra bhikṣuṇīvibhaṅge,* "the (canonical) text here is in the *Bhikṣuṇīvibhaṅga.*" In all such cases the quotation is then given, clearly marked with *iti,* and—insofar as we can tell—virtually verbatim.[27] A particularly good example—because here we have a Sanskrit text for both Guṇaprabha's auto-commentary *and* the canonical text he is quoting—would be the following where Guṇaprabha says (the quotation marks and punctuation are supplied by Bapat and Gokhale):

> "*sarvasyābhāve saṃghena upasthāyako deyo glānāvasthāṃ paricchidya, eko vā dvau vā saṃbahulā vā, antataḥ sarvasaṃghena upasthāpanaṃ karaṇīyam*"*-ity atra grantaḥ*"[28]

Bapat and Gokhale have slightly misplaced the quotation marks—*sarvasyābhāve,* "in the absence of all," refers to the situation that Guṇaprabha is addressing: when a sick monk has no teacher, preceptor, friend, etc., to look after him. The quotation actually starts with *saṃghena:*

> [371] In the absence of all, here is the (canonical) text: "A nurse-attendant must be given by the Community, after determining (*brtags nas*) the state of his sickness, either one or two or many, up to: the nursing must be done by the entire Community."

In this instance—as in so many others—Guṇaprabha does not even indicate what section of the canonical *Vinaya* he is quoting from, but in this case his quotation is taken from the *Cīvaravastu* and it could hardly be more exact. The text in the *Cīvaravastu* reads:

> *saṃghenopasthāyiko* [ms: *-opasthāyako*] *deyaḥ | glānāvasthāṃ paricchidya eko vā dvau vā saṃbahulā vā | antataḥ sarvasaṃghenopasthānaṃ karaṇīyam* /[29]

Even when we do not have a Sanskrit text for the work quoted, a quotation so introduced, to judge by the Tibetan translation of that work, appears to be very close to verbatim. We find in Guṇaprabha, for example:

> *mātṛkāyām atra granthaḥ—keśaśmaśrū sthāpayitvā tadanyeṣu aṃgapratyaṃgeṣu roma na śātayitavyam | yaḥ śātayet duṣkṛtaḥ syāt āpattiḥ iti* /[30]
>
> Here the (canonical) text is in the *Mātṛkā:* "Except for the head and beard, the hair on limbs and minor appendages other than that must not be shaved. He who would shave it would be guilty of a wrongdoing."

The *Mātṛkā* is now a section of the *Uttaragrantha* and the text quoted by Guṇaprabha is indeed found there in the following form in Tibetan:

> *dge slong rnams kyis skra dang kha spu ma gtogs par de las gzhan pa'i yan lag gi spu rnams mi breg go | de ste bregs na nyes byas su 'gyur ro*[31]

Apart from what appears to be no more than very minor—and typical—redactional differences, the quotation, again, appears to be exact.

The significance of all this here may already be apparent: when Guṇaprabha introduces a passage as the *Grantha,* or signals that it is so, then the passage itself is meant as a quotation, but he does *not* do that in regard to his "version" of our *Kṣudrakavastu* passage. Since he does not indicate that the passage is the *Grantha,* he is very probably not quoting a version of the text different from the one that has come down to us, but paraphrasing the one that has, and it is therefore unlikely that the canonical account of Sthūlanandā's activities circulated in two significantly different forms. Ironically, of course, this still means that *after* Guṇaprabha the account of Sthūlanandā would have been [372] available to a Mūlasarvāstivādin monk in two forms, in the canonical version and in a commentarial paraphrase. If, moreover, the monastic curriculum in medieval India was anything like what it came to be in at least one significant form of Tibetan monastic education, then it is certainly possible that many—if not most—monks would have known the account not in its canonical form, but in the form given to it by Guṇaprabha's commentarial paraphrase.[32] The commentarial tradition would also presumably have shaped the understanding of the canonical text's enigmatic "form of a god."

It is probably fair to say that what precisely is meant in the *Kṣudrakavastu* by *lha'i gzugs* is not at all obvious. The same holds as well for Guṇaprabha's Sanskrit *devacchanda,* which might or might not have been the Sanskrit compound that the translators of the Tibetan version of the *Kṣudrakavastu* found in the original of the text that they were translating. Certainly, Śīlapālita deemed that original worthy, or in need, of comment. But so too did Guṇaprabha and Dharmamitra. Śīlapālita's description or explanation has already been cited above, but it remains unfortunately vague. Unfortunately vague too are the glosses of Guṇaprabha and Dharmamitra—they are very nearly the same. Guṇaprabha has:

> *lha rten zhes bya ba ni srung skyob bya ba de'i phyir snod za ma tog gis brgyan cing sa las byas pa'i gzugs kyis bkang ba yin no zhes zer ro* /[33]

And Dharmamitra:

> *lha rten zhes bya ba ni / bsrung bskyab bya ba de'i phyir / snod za ma tog me tog la sogs pas brgyan cing sa las byas pa'i gzugs kyis bkang ba yin no zhes zer ro* /[34]

Although the Peking edition of Guṇaprabha's text—and it is the only other one available to me—has the same reading as the Derge, given what is found in Dharmamitra one might at least suspect that there might be an old corruption here in the Tibetan, and that a *me tog* has dropped out as a result of the collocation (*za*) *ma tog me tog* being "hyper-corrected." But it is also possible that Dharmamitra misunderstood Guṇaprabha's Sanskrit and that the "correction" [373] is his. The problem might turn on what the Sanskrit translated by *za ma tog*—if that is how the Tibetan should be read—meant.[35] *za ma tog* is an attested equivalent for *karaṇḍa* and *karaṇḍaka,* and both are commonly found as words for "a basket or covered box," but the first is also given by lexicographers as meaning "a sort of duck," and *kāraṇḍa* appears to mean only that.[36] Neither meaning would seem at first sight to give perfect sense: either "a receptacle (*snod* = *pātra, bhājana*) ornamented with a basket/box"; or "a receptacle ornament with a sort of duck/bird," but the second alternative—again if the Tibetan is to be read *za ma tog*—might be less objectionable. The whole of Guṇaprabha could then be translated:

> In regard to the expression "the form of a god" it is said: "It is a receptacle ornamented with a bird (or: with a basket), and filled with a figure made of clay, used for performing (a rite for) protection and defense (of children)."

Dharmamitra would differ only in saying: "It is a receptacle-basket ornamented with flowers and so forth."[37]

There are several unresolved problems here, and these descriptions would not seem to get us very far, but they do seem to make at least one thing reasonably sure: for Guṇaprabha and Dharmamitra the *lha rten* was not an image in the conventional sense of the term. It was a receptacle or vessel "filled with" a figure or figurine (of a god), and at least a part of it was made of clay. To this can be added other characteristics that can be deduced from the canonical text itself: it was small and easily portable—it is consistently said to have been carried by a woman as she walked about town. Since the canonical text indicates that its use involved some sort of (ritual) bathing it very likely also could hold water and, consequently, was probably made entirely of clay or terra-cotta, and had raised sides. If, finally, the Sanskrit text of Guṇaprabha's auto-commentary did contain the word *karaṇḍa* or *karaṇḍaka* or even a misread [374] *kāraṇḍa*, then it also—on one reading—could have been ornamented with a water bird or even birds. An object of this description sounds a good deal like an object that has been found at a number of early North Indian urban sites which archaeologists have called—because they did not actually know what it was—a "votive tank."

Such "votive tanks" were vessels that were small and easily portable; sometimes round but more commonly square—a particularly elaborate and well-illustrated one is twenty-eight centimeters square.[38] They were made of terra-cotta, had raised sides, and almost certainly—as the name given to them indicates—were meant to hold water; this is indicated not only by the raised sides, but also by the fact that figures of aquatic animals (eels, frogs, tortoises) sometimes appear at the bottom of the "tank." In more elaborate versions a shrine-like structure is set into the tank and/or a figure or figurine—the figure is most commonly "a female figure with archaic features, possibly a mother goddess," but also sometimes "a drummer dressed in trousers and belted tunic reaching the knees."[39] A clear connection of these "tanks" with children would seem to be indicated by the fact that some of the female figures in the tanks are shown "holding infants on their laps." These tanks are also not uncommonly "ornamented with a bird," in fact usually with birds. Although Gordon, for example, says, "I have not the least hesitation in saying that the birds are doves,"[40] these birds are so small and crudely made that no precise identification of kind or species is really possible. Marshall—to cite another example—describes them only as "birds with outspread wings."[41] They are typically placed on top of the raised side or rim of the tank, not in it, but their association with the tank itself and its waters would suggest that they were intended as aquatic birds.[42]

In spite of the fact that these little "votive tanks" have not gone unnoticed in the archaeological literature, both their function and affiliation have remained vague. A ritual function has been commonly attributed to them, but [375] almost anything that is not immediately understandable in the archaeological record is likely to be so categorized. They have commonly been connected with a cult or cults of the "Mother-Goddess," but such a connection is based almost entirely on the presence of a female figure in or on the tank and so is less easily maintained in those instances where such a figure is absent, or where a male figure appears. Indeed, even when a female figure is present this need not represent the Mother-Goddess, but could just as well represent the patron for whom the device is being used, and in the end the affiliation of these objects with the cult or cults of the Mother-Goddess may not be particularly useful since such cults are themselves so poorly and imprecisely known. The suggested association of these tanks with "fertility" rituals is, if anything, even vaguer. In the absence of textual descriptions of the use of these objects they have remained a puzzle, but it is here that our *Vinaya* text may become significant.

If in fact our *Vinaya* text is referring to such objects—and the correspondence is admittedly not perfect but perhaps only reasonably close—then it will be possible to be more precise. If our *Vinaya* text is referring to such objects, then it could be said with some confidence that these small "votive tanks" were used in rituals which involved predicting the outcome of a given child's situation and, perhaps, for effecting that child's cure or recovery from an illness, more certainly to protect and defend him or her. They would, moreover, have been used above all by female soothsayers or shamans—*naimittikās*—who plied their trade on the streets of towns or cities, but, since a rule was formulated to prevent them from doing so, such tanks were probably also sometimes used by Buddhist nuns who engaged in the same occupation. That the use of such objects among Buddhist religious was peculiar to nuns may, moreover, be suggested by at least two further considerations. First of all, although the *Kṣudrakavastu* has similar *kinds* of rules directed toward monks, there appears to be no corresponding male rule governing a monk's use of these "votive tanks" or *devacchandas*—*only* nuns are prohibited from using them. Secondly, these tanks are never found at Buddhist sites that are outside towns or cities and which, therefore, have almost universally been assumed to be male monasteries. They have been found only at Buddhist sites that are in towns or cities, and since virtually the only Buddhist establishments in towns or cities that the texts know are nunneries or convents—our *Vinaya*, as we have seen, typically uses the term *varṣaka* to refer to them—there is a prima facie case for assuming that that is what these sites were.

But even if the hypothesis that the term *devacchanda* or *lha rten* refers to some form of these "votive tanks"—and it is only a hypothesis—turns out to be [376] untenable, there is still something to be gained here, especially when it is noted that our *Kṣudrakavastu* text is not unique in either its narrative frame or, apparently, in its intent. At a minimum our *Kṣudrakavastu* text delivers a rule intended to prohibit nuns from doing what a *naimittikā* does: make a living by performing predictive, protective, and perhaps curing rites for children. The complaint of the *naimittikā* in the *Kṣudrakavastu* which the Buddha says, in effect, is justified, and to which he responds, is that Buddhist nuns are "stealing her livelihood," and Śīlapālita explicitly says that a *naimittikā* receives wages for her services. The monks who presumably framed this rule seem to be focused on this aspect, and to be concerned with the charge that Buddhist nuns were infringing on, or engaging in, the occupations of other women in cities. But when viewed from this angle it becomes clear that our *Kṣudrakavastu* text is only one of a series of such texts, many of which are constructed using exactly the same narrative frame. The first of a set of such texts elsewhere in the *Kṣudrakavastu,* for example, starts:

> The Buddha, the Blessed One, was staying in Śrāvastī, in the Jetavana, in the Park of Anāthapiṇḍada.
>
> At that time the Nun Sthūlanandā, in the morning, put on her undergarment and robe, took her bowl, and set out in Śrāvastī for alms. When she set out for alms she saw a young woman and she had beautiful clothes and undergarments and beautiful jewelry. When Sthūlanandā saw that she asked:
>
> "Where, little sister, did you get your clothes and jewelry?"
>
> "Noble One," the young woman said, "I sell liquor and I got all these from that." Sthūlanandā then thought to herself: "This is an excellent craft (*thabs* = *upāya*)—I will see if it works or not."

She then recruits a poor woman who is without any means of support, builds and stocks a tavern near the nunnery or *varṣaka* (*dbyar mo khang dang nye bar*), and sets her up in business and supports her in exchange for all the profits. This text is immediately followed by one in which Sthūlanandā sees, in the same way, a prostitute, thinks the same thing, recruits another destitute woman, builds a brothel near the nunnery (*dbyar mo khang dang nye ba zhig tu*), provides her with clothes, jewelry, unguents, etc., and sets her too up in business in exchange for her profits. This text is then itself immediately followed by a third of exactly the same pattern involving what appears to be a streetwal[377]ker—here Sthūlanandā even provides her with a pimp.[43] In all three cases, of course, a rule is delivered forbidding the engagement of Buddhist nuns in such activities, but the issue here is not presented as a moral one. In fact a justification of prostitution, for example, is twice put into the mouth of Sthūlanandā. For the monks who redacted these accounts, and framed these rules, the problem is—as it is in the case of a nun acting as a *naimittikā*—that Sthūlanandā's ventures are wildly successful and, as a consequence, create conflict with, and criticism by, other working women and the community at large. This, it seems, is what these rules were meant to avoid.

Obviously such texts and these issues need to be much more carefully studied, but here only a few observations are possible. First, it is worth observing that these issues may have been either old or widespread since the *Mūlasarvāstivāda-vinaya* is not the only *Vinaya* that deals with them. The Pāli *Vinaya*, for example, also deals with a series of them, although in a very clipped and abbreviated fashion,[44] and the Mahāsāṃghika-Lokottaravādin *Bhikṣuṇī-Vinaya* also deals with the issue of nuns living off prostitutes.[45] A second observation might be that the business ventures of Buddhist nuns, and the conflicts and criticism that they generate, all are connected with the fact that nuns, apparently, had a hard time supporting themselves,[46] and that nuns lived in towns and cities—and not, it seems, in the best parts of towns and cities—and had to avoid conflict with their neighbors and competition especially with urban working women: prostitutes, to be sure, but also, probably tavern operators, all of whom may have been women.[47] Our texts, and the clear recognition of the urban character of Buddhist nuns in North India—at least Mūlasarvāsti[378]vādin nuns, but probably most, if not all of them—certainly give a grittier picture of these figures, but it may also go some way toward explaining their disappearance: if Buddhist nuns had to live in urban settings, then any decline or decay in urbanism would have put them and their institutions at particular risk. Indeed, the disappearance of nuns from inscriptional records in North India seems, in fact, to coincide with the final phase of urban decay there.[48] But to pursue all of this will require many more pages than these few that I can offer in honor of Bhikkhu Pāsādika.[49]

Notes

1. See, for some examples, I. B. Horner, *Women under Primitive Buddhism* (London: 1930) 154–156; M. Wijayaratna, *Les moniales bouddhistes. Naissance et développement du monachisme féminin* (Paris: 1991) 115–121; U. Hüsken, *Die Vorschriften für die buddhistische Nonnengemeinde im Vinaya-Piṭaka der Theravādin* (Berlin: 1997) 435–438. A recent work focused largely on Mūlasarvāstivādin sources suggests a remarkably limited awareness of what is in this group's *Vinaya* in this regard—P. Skilling, "Esā agrā. Images of Nuns in (Mūla-) Sarvāstivādin Literature," *JIABS* 24.2 (2001) 152–153, and below.

2. See the remarks at J. Marshall, *Taxila. An Illustrated Account of Archaeological Excavations Carried out at Taxila under the Orders of the Government of India between the Years 1913 and 1934* (Cambridge: 1951), Vol. 1, 230–231. Attempts to identify a site or a structure as a "nunnery" or "convent" are extremely rare—R. Coningham, "The Archaeology of Buddhism," in *Archaeology and World Religion*, ed. T. Insoll (New York: 2001) 89 suggests there has been only one, but that is incorrect—and all of them can be shown to be untenable.

3. This case could—and will—be made for the Buddhist buildings at Taxila, Shaikhan Dheri, and Barikot. For a recent discussion of these urban Buddhist sites, see P. Callieri, "Buddhist Presence in the Urban Settlements of Swāt, Second Century BCE to Fourth Century CE," in *Gandhāran Buddhism; Archaeology, Art, Texts,* ed. P. Brancaccio and K. Behrendt (Toronto: 2006) 60–82.

4. The text occurs as a part of a long section of the *Kṣudrakavastu* that, although it is not formally marked as a distinct unit, is entirely devoted to nuns (Derge 'dul ba Da 100a.4–187b.3). This section, like the *Bhikkhunī-khandhaka* of the Pāli *Cullavagga,* starts with an account of the origin of the Community of Nuns and the *gurudharmas,* and is roughly—but only roughly—comparable to the Pāli *Bhikkhunī-khandhaka.* It should be noted that here and throughout I use the terms "nun" and "monk" as a matter of convention and convenience to stand for *bhikṣuṇī* and *bhikṣu,* although I have grave doubts about the wisdom of doing so; see G. Schopen "The Buddhist Bhikṣu's Obligation to Support His Parents in Two Vinaya Traditions," *JPTS* 29 (2007) 107–136 [= Ch. XIV below].

5. *Kṣudrakavastu,* Derge 'dul ba Da 151a.2–5.

6. In spite of the fact that the equivalence *dbyar khang = varṣaka* has been available since the publication of the *Mahāvyutpatti* (R. Sakaki, *Hon'yaku Meigi Taishū (Mahāvyutpatti)* [Kyoto: 1916] no. 9154), K. L. Tsomo, *Sisters in Solitude. Two Traditions of Buddhist Monastic Ethics for Women. A Comparative Analysis of the Chinese Dharmaguptaka and the Tibetan Mūlasarvāstivāda Bhikṣunī Prātimokṣa Sūtras* (Albany: 1996) 165 n. 29 was able to say that *dbyar khang* was translating *varśāvāsana,* a term which, of course, does not exist, and Skilling, "Eṣā agrā: Images of Nuns in (Mūla-)Sarvāstivādin Literature," 152 proposed—with a question mark—the equally creative *harmikā* when he cites, with a single reference, the expression *dge slong ma'i dbyar khang.*

7. *Bhikṣu-prātimokṣa* (Banerjee) 33.12; 33.15; 17.10 (7th *Saṃghāveśeṣa*); and *Bhikṣuṇī-prātimokṣa,* Derge'dul ba Ta 14a.3, 21a.1, 14a.6.

8. In the *Bhikṣuṇī-vibhaṅga* alone see Derge 'dul ba Ta 44a.3, 75a.1, 120a.3, 185b.4, .7, 186a.2, .3, .4, .6, 203a.5, 216a.4, 219b.7. 220b.5, 222a.3, 232a.4, 265b.6, 269b.4, 270a.3, 271a.2, 271b.7, 272b.3, 279a.4, 293a.6, 294b.7, 295a.1, 302b.5, 314a.4, 316b.3, .6, and this is simply a sample, not a systematic or comprehensive list (it should be kept in mind that the relationship between the *Bhikṣunī-prātimokṣa* and the *Bhikṣunī-vibhaṅga* preserved in Tibetan remains to be worked out; cf. G. Schopen, "On Buddhist Monks and Dreadful Deities. Some Monastic Devices for Updating the Dharma," in *Gedenkschrift J. W. de Jong,* ed. H. W. Bodewitz and M. Hara (Tokyo: 2004) 180–181 [= Ch. XV below]). For some of the equally common references to *dbyar khang* and *dbyar mo khang* in the *Kṣudrakavastu,* where both "spellings" occur, see below.

9. *Vinayavibhaṅgapadavyākhyāna,* Derge, bstan 'gyur, 'dul ba Tshu 52a.2; cf. *Bhikṣuṇī-vibhaṅga* Derge 'dul ba Ta 186a.6: *dbyar khang zhes bya ba ni gtsug lag khang ngo*; also at Ta 302b.5; Ta 314a.7: *dbyar khang du song nas zhes bya ba ni gtsug lag khang du'o*; Ta 316b.6: *dbyar khang du zhes bya ba ni gtsug lag khang du'o*—all of these from the old "commentary" embedded in the canonical *Bhikṣuṇī-vibhaṅga* and therefore referring to *"vihāras"* for nuns.

10. *TRAS* vi, 289.

11. Zhang Yishun et al., *Bod rgya tshig mdzod chen mo* (Beijing: 1985) 1952.

12. The Mūlasarvāstivādin rule forbidding nuns to live in the forest is actually delivered at *Bhikṣuṇī-vibhaṅga,* Derge 'dul ba Ta 74a.3ff., but Guṇaprabha—like our *Kṣudraka* passage—links it with the rule about the location of *varṣakas;* at *Vinayasūtra* (Sankrityayana) 117.21 one literally follows the other: *na bhikṣuṇy araṇye vaset / karaṇam varṣakasya nagarābhyaṃtare.*

13. For the Mahāsāṃghika, see *Bhikṣuṇī-vinaya* (Roth) 81.3 (§118), 88.7 (§126), 319.6 (§287) (= É. Nolot, *Règles de discipline des nonnes bouddhistes* [Publications de l'Institut de Civilisation Indienne fasc. 60] [Paris: 1991] 65, 72, 361); for the Dharmaguptaka, A. Heirman, *"The Discipline in Four Parts." Rules for Nuns according to the Dharmaguptaka-vinaya,* Pt. I (Delhi: 2002) 105 n. 71; for the Pāli, see immediately below; for Nolot's statement, see Nolot, *Règles de discipline des nonnes bouddhistes,* 27 n. 73.

14. The text is at H. C. Norman, *The Commentary on the Dhammapada* (London: 1906) ii 52; the translation is from E. W. Burlingame, *Buddhist Legends. Translated from the Original Pāli Text of the Dhammapada Commentary* (Harvard Oriental Series 28–30), Pt. II (Cambridge: 1921) 129; cf. Horner, *Women under Primitive Buddhism,* 156, where this "rule" somehow becomes an exception.

15. See the references given in n. 13 above. Note too that the male *Prātimokṣas* have at least one rule that—to judge by the accounts that explain its origin—presupposes that nuns lived in towns. This is the *Prātimokṣa* rule that prohibits monks from instructing or admonishing nuns after sunset. The "reason" given for this rule in the Pāli *Vinaya* iv 54–55, and the *Dharmaguptaka-vinaya* (L. Wieger, *Bouddhisme Chinois. Vinaya. Monachisme et Discipline. Hinayana, Véhicule Inférieur* [Ho-kien-fou: 1910] 311, as well as in the Mūlasarvāstivādin *Bhikṣu-vibhaṅga,* Derge 'dul ba Ja 87a.4ff., is basically the same: after sunset the town or city gates are closed and the nuns cannot therefore get home. Wijayaratna, *Les moniales bouddhistes,* 116, specifically cites the Pāli account—and it only—as evidence that "les moniales avaient leurs résidences dans la ville.")

16. *Kṣudrakavastu,* Derge Da 185b.2–186a.2.

17. *lung bstan pa* is of course a widely attested translation for forms of *vy-ā-√kṛ.*

18. "Employs" is a particularly good example of the kind of "double translation" that can occur when dealing with canonical texts preserved in Tibetan. Tibetan *'chang ba* itself probably cannot easily mean "employ," but it can be translated into Sanskrit as *dhārayati* which can indeed then be rendered by "employ" (see the Sanskrit text of the *Vinayasūtra* cited below). The Tibetan *lha'i gzugs 'chang ba* on its own, on the other hand, could be rendered "assume the form of a god." This would give a perfectly good—even interesting—sense, but would probably not represent the intended meaning of the original Sanskrit, given what will be seen in the following discussion about *lha'i gzugs,* its variants and equivalent. Both *'chang ba* and *dhārayati* could of course also be translated by "carry," "preserve," or "keep."

19. *Āgamakṣudrakavyākhyāna,* Derge, bstan 'gyur, 'dul ba Dzu 152b.4.

20. The *Kṣudrakavastu* was translated by Vidyākaraprabha, Dharmaśrībhadra and Dpal 'byor in the ninth century, but the *Āgamakṣudrakavyākhyāna* not until the eleventh. Note too that the Tibetan translation of the *Kṣudrakavastu* has not been judged kindly even by the author of the colophon attached to it in the *Bka' 'gyur* who describes it as,

among other things, "full of obsolete expressions" (see W. W. Rockhill, *The Life of the Buddha and the Early History of His Order* [London: 1884] 148; cf. Schopen, *BMBM*, 190 n. 30, 263, 403 n. 14). But even apart from issues connected with the Tibetan translations, there is almost certainly a far greater, and potentially more significant, chronological gap between the canonical *Kṣudrakavastu* (redacted in the second century, probably) and Śīlapālita. (Tāranātha places him in the time of Vinītadeva in L. Chimpa and A. Chattopadhyaya, *Tāranātha's History of Buddhism in India* [Simla: 1970] 252. If this is correct that would put him in the seventh/eighth century, following T. Funayama, "On the Date of Vinītadeva," in *Le parole e i marmi. Studi in Onore di Raniero Gnoli nel suo 70 compleanno* [Serie Orientale Roma 92.1–2], ed. R. Torellla [Rome: 2001] 309–325). Given this large time gap, and the likelihood that neither the procedures nor accoutrements of "folk" practitioners like *naimittikās* were ever standardized, but differed significantly according to time and place, it is equally likely the *naimittikās* that Śīlapālita knew differed to a greater or lesser extent from those known to the compilers of the canonical text. This in itself might account for many of the differences that we will meet, but the absence of Sanskrit texts for both canon and commentary puts any certainty out of reach.

21. Unfortunately the text here is not "without obscurity" and I am not at all sure that this is what it means.

22. What precisely *dkyil 'khor = maṇḍala* refers to here is far from clear, and the same holds for the occurrence of the term in the canonical *Vinaya.* The term occurs, for example, at *Vinayavibhaṅga,* Derge 'dul ba Cha 280b.4 as a component of the ritual that a monk acting as a *navakarmika* must perform before cutting down a tree that is to be used for religious purposes or constructions. It also occurs at *Kṣudrakavastu,* Derge 'dul ba Tha 176a.1 where it refers to a spot or piece of ground that monks thought it was improper to walk on.

23. The use of the term *bon* here and in the translations of Guṇaprabha and Dharmamitra cited below might be of particular interest to students of Tibetan religion.

24. *Vinayasūtra* (Sankrityayana) 65.22.

25. *Vinayasūtravṛttyabhidhānasvavyākhyāna,* Derge, bstan 'gyur, 'dul ba Zu 21a.4–21b.1; *Vinayasūtraṭīkā,* Derge, bstan 'gyur, 'dul ba Yu 32a.7–32b.3.

26. As in the case of Śīlapālita (n. 20 above), there is again a very large chronological gap between the canonical text and Guṇaprabha (fifth to seventh centuries; see Schopen, *BMBM,* 312–313), and this alone too could account for some of the differences.

27. *Vinayasūtra* (Bapat & Gokhale) 6.2, 15.17, 29.12, 30.20, 40.21, 52.8.

28. *Vinayasūtra* (Bapat & Gokhale) 46.26.

29. *Cīvaravastu, GMs,* iii 2, 131.13.

30. *Vinayasūtra* (Bapat & Gokhale) 28.21.

31. *Uttaragrantha,* Derge 'dul ba Pa 250b.2.

32. For the focus on the *Vinayasūtra* and its commentaries in dGe lugs pa monastic education, see S. Onoda, *Monastic Debate in Tibet. A Study on the History and Structures of* Bsdus Grwa *Logic* (Wiener Studien zur Tibetologie und Buddhismuskunde Heft 27) (Wien: 1992) 31; G. B. Dreyfus, *The Sound of Two Hands Clapping. The Education of a Tibetan Buddhist Monk* (Berkeley: 2003) 114, 116–117; but note that Bu-ston in his *'Dul ba dge slong*

ma'i gleng 'bum 17a.5 follows the canonical text, not Guṇaprabha (on this text, see Schopen, *BMBM*, 284 n. 67). Notice too that by paraphrasing, rather than quoting, Guṇprabha could have avoided what might have been by his time obsolete or unfamiliar elements in the canonical text.

33. *Vinayasūtravṛttyabhidhānasvavyākhyāna*, Derge, bstan 'gyur, 'dul ba Zu 21a.7.

34. *Vinayasūtraṭīkā*, Derge, bstan 'gyur, 'dul ba Yu 32b.3.

35. To make matters even worse note that in both Derge and Peking what I have read as *za ma tog* could also—and easily—be read as *zam tog:* that is how I initially read it even though such a reading made, to me, little sense.

36. O. Böhtlingk, *Sanskrit-Wörterbuch in kürzerer Fassung* (St. Petersburg: 1881) Bd. 2 s.v. *karaṇḍa, kāraṇḍa;* Monier-Williams likewise.

37. Although the remarks in both are extremely brief and add little except for more problems, see, for the sake of completeness, *Vinayasūtravyākhyāna* of Prajñākara, Derge, bstan 'gyur, 'dul ba Ru 151a.4, and *Vinayasūtravṛtti*, Derge, bstan 'gyur, 'dul ba Lu 193a.5 (this *Vṛtti* is also attributed to Guṇaprabha but that seems unlikely—it alone seems to have taken "the form of a god" as a painting or image: *dge slong mas 'jig rten gyi lha'i gzugs bris sam byas te* . . .). For some of the difficulties with expressions like *lha rten*, see Schopen, "On Buddhist Monks and Dreadful Deities," 168–169 [= Ch. XV below].

38. See J. Siudmak, "Terracotta Sculpture from the Ancient Northwest 300BCE–60CE," in *Indian Terracotta Sculpture. The Early Period*, ed. P. Pal (Mumbai: 2002) 36, fig. 1, from Taxila; for other examples from Taxila, see Marshall, *Taxila*, Vol. 2, 463–464, all of about the same size. There are also good photographs of the examples from Sonkh in H. Härtel, *Excavations at Sonkh. 2500 Years of a Town in Mathura District* (Monographien zur indischen Archäologie, Kunst und Philologie Bd. 9) (Berlin: 1993) 195–203 and plates.

39. A. Ghosh, *An Encyclopedia of Indian Archaeology* (New Delhi: 1989), Vol. 1, 278, with a list of sites at which such tanks were found, and the observation that most of these tanks "belong to the period between the 1st and 3rd centuries A.D.," a date that fits nicely with the date of the redaction of the *Mūlasarvāstivāda-vinaya*, and may indicate that by the time of Śīlapālita and Guṇprabha they were no longer commonly in use.

40. D. H. Gordon, "The Mother-Goddess of Gandhara," *Antiquity* (March 1937) 75.

41. Marshall, *Taxila*, Vol. 2, 463.

42. In at least one of the examples from Sonkh, however, the bird is on the bottom of the tank: Härtel, *Excavations at Sonkh*, 199, pl. 12.

43. *Kṣudrakavastu*, Derge 'dul ba Da 156a.3–156b.7; 156b.7–158a.3; 158a.3–159a.3. For the moment it can only be observed here that the so-called House of Naradakha at Shaikhan Dheri which—it can be argued—was probably a *varṣaka* or nunnery, was also, in part, a tavern—see F. R. Allchin, "Evidence of Early Distillation at Shaikhān Dherī," in *South Asian Archaeology 1977*, ed. M. Taddei (Naples: 1979), Vol. 2, 755–797—and might very well have been precisely the kind of establishment that the first of these *Kṣudrakavastu* texts was trying to forbid.

44. Pāli *Vinaya* ii 267.5ff.—note in particular *chabbaggiyā bhikkhuniyo . . . vesiṃ vuṭṭhāpenti pānāgāraṃ ṭhāpenti*, which Horner, *BD* v 369 translates "the group of six nuns . . . supported courtesans, they set up a tavern."

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

45. *Bhikṣuṇī-vinaya* (Roth) 305.12 (§261 = Nolot, *Règles de discipline des nonnes bouddhistes* 344). Heirman, *"The Discipline in Four Parts,"* Pt. I, 153, has noticed this passage and one in the Chinese translation of the *Mahāsāṃghika-vinaya,* and says: "They forbid a *bhikṣuṇī* to employ a prostitute and to make money out of her. The other *vinayas* do not mention the practice." Obviously, in light of the Mūlasarvāstivādin and Pāli passages the last sentence here will have to be adjusted.

46. *Vinaya* sources explicitly say that women receive few donations—see, for example, Pāli *Vinaya* iii 208.28 (*mātugāmā nāma kicchalābhā*); *Bhikṣuṇī-vibhaṅga,* Derge 'dul ba Ta 123a.7 (*bud med ni rnyed pa chung ba yin gyis . . .*).

47. See P. Olivelle, *Language, Texts, and Society. Explorations in Ancient Indian Culture and Religion* (Firenze: 2005) 253.

48. For nuns in inscriptions see Schopen, *BSBM,* 250, where the emergence of the Mahāyāna is also considered a factor; for urban decline, see R. S. Sharma, *Urban Decay in India (c. 300–c. 1000)* (New Delhi: 1987).

49. For a few more related pages, see G. Schopen, "On Emptying Chamber Pots without Looking and the Urban Location of Buddhist Nunneries in Early India Again," *JA* 296.2 (2008) 229–256 [= Ch. II below].

CHAPTER II

On Emptying Chamber Pots without Looking and the Urban Location of Buddhist Nunneries in Early India Again

ALTHOUGH FOR A LONG TIME overlooked, at least one Buddhist monastic code has an explicit rule that requires that its nunneries—it calls them *varṣakas*—be located, unlike male monasteries, inside towns or cities. The urban location of nunneries also seems to be taken very much for granted by a number of other monastic codes as well in both narrative and rule. It appears, for example, that all the well-known male *Prātimokṣas* contain a rule against monks instructing nuns after sunset, and the reason for this rule, according to accounts that deliver it, was that the town or city gates were shut at sunset and the nuns as a consequence would not be able to get home. If, of course, the male *Prātimokṣa* rules are as old as most think, this would have to mean that the urban location of Buddhist nunneries was equally old.[1] The male *Prātimokṣas,* however, are not alone in having rules that take for granted the urban location of Buddhist nunneries.

The female *Prātimokṣas,* like the male *Prātimokṣas,* all seem to have rules about dumping or depositing excrement, urine, and other unsavory stuff on greens (in the English use of the term), but the female *Prātimokṣas* have an additional rule that is not found in any of the male versions that forbids throwing the stuff over a/the wall without first looking, and a Mūlasarvāstivādin commentary makes explicit what seems in the accounts of other traditions clear enough in any case: the [230] wall in question is the wall of the *varṣaka* or nunnery.[2] This rule and the accounts that deliver it are of interest for several reasons: the rule is specific to nuns; it appears to be yet another indication of the urban location of Buddhist nunneries in India; and its presence in all the female *Prātimokṣas* might suggest, for some at least, that this too was an old rule; the accounts which deliver this rule not

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only locate their nunneries in towns but sometimes also give some indication of where, precisely, in towns they were to be found, and this allows for some connections to be made with what can be seen in the archaeological record; and, finally, the Mūlasarvāstivādin account of how this rule came to be—and it will be the primary focus here—would seem to represent both a particularly good example of the ambivalent and sardonic attitude of the male compilers of this literature toward nuns, and another instance of intentional humor in this code.

The Mūlasarvāstivādin literature bearing on this rule involves the usual complications. The rule itself has not come down to us in Sanskrit and is preserved in Tibetan in several noticeably variant forms. In the *Bhikṣuṇī-Prātimokṣa* now found in the *Bka' 'gyur* it occurs as:

> *yang dge slong ma gang rtsig pa'i phag tu ma bltas par bshang gci 'dor na ltung byed do /*[3]

Bearing in mind that Tibetan *phag tu* here is almost certainly translating Sanskrit *tiras,* which can mean either "across, beyond, over" or "secretly," but here must have meant "over" (cf. Sanskrit *tiraś ca prākāram* and Pāli *tirokudde* cited below),[4] this can be rendered as:

> Further, if a nun, without looking over the wall, throws out excrement and urine, it is an offense causing a fall (*pātayantika*).

{231} But in the *Bhikṣuṇī-vibhaṅga* preserved in Tibetan this same rule appears as

> *yang dge slong ma gang ma brtags par bshang ba dang gci ba 'dor na ltung byed do/*[5]

> Further, if a nun, without investigating, throws out excrement and urine, it is an offense causing a fall.

Here there is, of course, no reference to a wall and the rule would therefore apply to a much broader range of situations, perhaps even to an earlier period when nuns' quarters were not necessarily walled. But in any case, since differences of this sort between the *Bhikṣuṇī-Prātimokṣa* and the *Bhikṣuṇī-vibhaṅga* which are preserved in Tibetan are typical, and since it was probably—at least in part—these differences which led Bu-ston to suggest that the *Vibhaṅga* preserved in Tibetan did not belong to the Mūlasarvāstivādin tradition, it is worth considering—briefly and for the moment—other possibilities as well.[6]

Differences in wording are not the only kind of differences that are found between the *Bhikṣuṇī-Prātimokṣa* and the *Bhikṣuṇī-vibhaṅga* that have come down to us in Tibetan. The order of offenses or rules in the *Pātayantika* section in one, for example, is widely different from that in the other. But, oddly enough, it appears that the order of rules found in the Tibetan *Vibhaṅga* is basically the same as the order found in the Chinese translation of the Mūlasarvāstivādin *Bhikṣuṇī-Prātimokṣa,* and since, as far as I know, there seems to be no reason for doubting the attribution of the Chinese text this could indicate either—as has already been suggested elsewhere—that if there is a problem with the Tibetan sources it is not with its *Vibhaṅga,* as Bu-ston thought, but with its *Prātimokṣa,* and it might belong to another group.[7] Or—and this seems [232] more likely—these differences and similarities may simply testify to the fact that the *Prātimokṣa* and the *Vibhaṅga* for nuns of the Mūlasarvāstivādins circulated in more than one version or redaction, that, in effect, they were not so carefully edited, systematized, and transmitted as the versions for monks. Since nuns themselves appear not to have redacted or transmitted their own literature—there is at least no clear evidence that they did—this might not be too surprising. But however all of this might be worked out, for the moment, and until it is proven otherwise, it would seem best to assume as a working hypothesis that all of these sources are Mūlasarvāstivādin, in spite of their differences, and in spite of Bu-ston, and to be at least open to the possibility that they may represent or reflect different periods or stages of development. Certainly this assumption serves us well in approaching yet another version of this rule preserved in Tibetan.

The text preserved in Tibetan that now carries the Sanskrit title *Sarvāstivādimūlabhikṣuṇīprātimokṣasūtravṛtti* is an odd one. Indeed, its title alone is peculiar and it is hard to know how best to interpret it—is *Sarvāstivādimūla* just an awkward variant of Mūlasarvāstivādin; or is *Sarvāstivādimūla* to be understood as referring to the "root" (original, fundamental) *Bhikṣuṇī-Prātimokṣa* of the Sarvāstivādins; and are these really two different groups in any case? To even begin to sort this out will of course require paying much closer attention to the actual contents of the *Sarvāstivādimūlabhikṣuṇīprātimokṣasūtravṛtti,* but even these are peculiar. The text, for example, is called a *Vṛtti* or commentary, and its opening sections might be reasonably so called. Its later sections, however—and they make up the bulk of it—look much more like a canonical *Vibhaṅga,* as has been noted elsewhere and will be seen below.[8] Moreover, in specific regard to our rule this "*Vṛtti*" is again peculiar: the order in which it gives the *Pātayantika* offenses follows closely the order in which they are given in the Tibetan *Bhikṣuṇī-vibhaṅga,* but the word[233]ing of its version of the rule—it actually has two versions—corresponds more in sense to the version of the rule found in the Tibetan *Bhikṣuṇī-prātimokṣa:*

> *yang dge slong mas gang ma brtags par rtsig pa'i rgyab tu bshang ba 'dor na ltung ba'o / dge slong mas rtsig pa'i rgyab tu sngar ma brtags par bshang ba 'dor na ltung bar 'gyur ro /*[9]

> Further, if a nun, without investigating where, throws excreta out over the back of the wall it is an offense. If a nun, without first investigating over the back of the wall, throws out excreta, it comes to be an offense.

Happily, it is not necessary to deal further with the complications involved in the precise wording of the Mūlasarvāstivādin rule, and it will be here sufficient to note that when Guṇaprabha treated the rule in his *Vinayasūtra* sometime between the fifth and the seventh centuries, reference to the wall was taken to be an integral part of it. His paraphrase of the rule has come down to us in Sanskrit. In digesting the *Bhikṣuṇī-vibhaṅga*—be it noted—he says there is an offense *choraṇāyām uccārasya . . . tiraś ca prākāram anavalokya (rtsig pa'i phag tu ma bltas par bshang ba 'dor ba la'o),* "in throwing out excrement without looking over the wall."[10] It is also worth noting that something of what is found in the variant Mūlasarvāstivādin versions of the rule may also occur in other monastic traditions, and there it seems to point more clearly to a gradual expansion of the rule.

We have by good fortune both the Mahāsāṃghika-Lokottaravādin rule, and the frame story which delivers it, in an Indian language, and we may be able to see here in a single text the expansion taking place. The frame story opens by saying: "Une nonne jeta sur la route, sans faire attention, le contenu d'un pot de chambre" [A nun threw out on the road, without paying attention, the contents of a chamber pot], *aparāya dāni bhikṣuṇīya uccāra-mallakaṃ apratyavekṣitvā rathyāyāṃ choritaṃ.* When this is reported to the Blessed One, he says to the nun: "Tu as mal fait; voilà que tu jettes [des déchets] sans faire attention; désormais, il ne convient pas de jeter sans regarder" [You have acted badly, here you would throw out garbage without paying attention! From now on it is not proper to throw it out without looking], *tena hi na kṣamati apratyavekṣiya chorayitum.*[11]

[234] Although it seems clear—as we will see—that this tradition, like all the others, placed this event in town, and that therefore it would be better to translate *rathyā* here not by "route" but rather "rue," still there is no reference in "the quasi-Prakrit-cum-Sanskrit" version of the frame story to a wall and in this regard at least it is very much like what is found in the Mūlasarvāstivādin *Bhikṣuṇī-vibhaṅga.* But whereas the latter is in this regard consistent between its frame story and the rule it delivers, the Mahāsāṃghika-Lokottaravādin tradition is certainly not. It delivers the rule in a form that goes considerably beyond what is found in its narrative frame:

> *yā puna bhikṣuṇī tiro-kuḍyaṃ uccāram vā prāsrāvam vā khetakam vā siṃghāṇakam vā vighasam vā saṃkāram vā apratyavekṣitvā chorayet pācattikaṃ /*
>
> "Et si une nonne jette sans regarder, *par-dessus un mur,* des excréments, de l'urine, *des crachats, de la morve, des restes de nourriture ou des ordures,* c'est une faute en-

> traînant aveu formel" [And if a nun throws over a wall without looking excrement, urine, spit, snot, food garbage, or filth, that is a fault requiring confession]

Notice that if *kheṭaka* etc. appear obviously to be additive, so too does the reference to the wall (*tiro-kuḍyaṃ*). Indeed, if these elements are omitted the rule would correspond almost exactly to its frame story. The easiest explanation for this, then, would seem to be that while the Prakrit-cum-Sanskrit version of the Mahāsāṃghika-Lokottaravādin rule was at some point expanded or updated, the frame story that delivers it was not—at least in the only manuscript of it that we have. There is, however, already evidence that some other versions might have been.

The sections devoted to nuns in the Chinese translation of the *Mahāsāṃghika-vinaya* agree "closely," according to Hirakawa, with the Prakrit-cum-Sanskrit text of the Mahāsāṃghika-Lokottaravādins that we have,[12] but this does not necessarily apply to the details of our rule and its frame story. In Hirakawa's translation the story starts:

> [235] At that time, there was a bhikṣuṇī who threw out some feces and urine over a wall without first looking out. They fell on the head of a brāhmaṇa walking along the street . . .

But here when the formal rule is delivered it, in conformity with the frame story, also refers to the wall:

> If a bhikṣuṇī throws out impure thing[s] over a wall without first looking around, her act constitutes a *pācattika* offense.[13]

These examples are probably sufficient to show that if the Mūlasarvāstivādin tradition transmitted our rule in a number of variant forms, and if its versions of the rule did not always fit perfectly with the frame story that delivered them, it was not alone in either. Mahāsāṃghika sources would seem to reveal the same pattern. But, in anticipation of what we will soon see, notice that the frame story of the first of these Mahāsāṃghika examples refers specifically to "un pot de chambre" or *uccāra-mallaka;* so too do the Mūlasarvāstivādin versions, the Dharmaguptaka version, and the Pāli frame story as well, and this element bears not only on the nature of the "wall" involved and the best translation of *rathyā,* but on the logic of the story as a whole. Since, narratively, Buddhist nuns are not known to wander around carrying chamber pots, the events that are described in these accounts would almost certainly have been understood to have occurred where the nuns lived, and this would mean that the "wall" in question was—exactly as one

Mūlasarvāstivādin commentator explicitly says—the wall of the nunnery. If, moreover, the stuff she throws out lands on people in, as Hirakawa has it, the "street," then the nunneries involved must have been in towns and the rule would have been responding to a peculiar and widely known premodern urban phenomenon. This much, at least, would seem to be supported by the Pāli version of both the frame story and the rule.

The Pāli version of the rule itself is notable chiefly because it seems to represent it in one of its most developed forms and, like the Mahāsāṃghika-Lokottaravādin version, goes well beyond its own frame story: whereas the latter refers only to throwing out the contents [236] of a chamber pot, the Pāli rule refers to garbage and food scraps as well. It reads:[14]

> *yā pana bhikkhunī uccāraṃ vā passāvaṃ vā saṃkāraṃ vā vighāsaṃ vā tirokuḍḍe vā tiropākāre vā chaḍḍeyya vā chaḍḍāpeyya vā pācittiyan ti /*
>
> Whatever nun would throw out over the wall, or over the enclosure, excrement or urine or garbage or food scraps, or would have them thrown out—that is a *pācittiya* offense.

The one thing that is missing in this version, and is found everywhere else, is reference to not looking, but it is duly supplied in the exception clause—*anāpatti oloketvā chaḍḍeti:* "there is no offense when she throws it out after having looked"—providing a good example, perhaps, of how different bits of the same rule can occur in different places in different monastic codes. But the interest of the Pāli material may lay more in its frame story than in its formulation of the rule, and that frame story is worth looking at in some detail. It might be translated:

> At that time the Buddha, the Blessed One, was staying in the Jetavana, in the Park of Anāthapiṇḍika. At that time too there was a brahmin who received wages from the king. Saying "I will ask just for my salary," having washed his head, he was going to the king's palace near the nunnery (*bhikkhunūpassayaṃ nissāya rājakulaṃ gacchati*). But a nun, having relieved herself in a pot (*kaṭāha*), was throwing the stuff out over the wall (*tirokuḍḍe*) and it fell on the brahmin's head. He fumed[15] saying, "These bald-headed whores are no ascetics—how is it that they will dump shit-pots (*gūthakaṭāha*) on one's head?! I am going to burn this nunnery (*upassaya*) down," he grabbed a piece of burning wood and was entering the nunnery (*upassaya*). A lay brother (*upāsaka*) coming out of the nunnery saw that brahmin who had grabbed a piece of burning wood going into the nunnery, and when he saw that he said to the brahmin: "Why, sir, are you, grabbing a piece of burning wood, entering the nunnery?"

[237] "These bald-headed whores, sir, have dumped a shit-pot on my head—I am going to burn this nunnery down."

"Go, sir! Brahmin, this is an auspicious omen (*maṅgalaṃ etaṃ*)! You are going to receive a thousand *and* your salary!"

Then that brahmin, when he had washed his head and gone to the king's palace, received a thousand *and* his salary.

When, then, the lay brother had gone back into the nunnery and had reported the matter to the nuns, he upbraided them.

Those nuns who were of few wants complained, saying "How is it that nuns will throw excrement out over the wall?"

Then, in stenciled fashion, all this is reported to the Buddha, he rebukes (*vigarahi*) the nuns, and the Pāli rule is delivered.

There are a number of interesting little details here. It would seem to have been understood, for example, that though walled or enclosed the nunnery here was made of wood since the brahmin thought he could burn it down. It also seems to be a narrative fact that at least a lay brother or *upāsaka* could come and go in a nunnery without hindrance. More surprising, perhaps, a lay brother here upbraids the nuns face to face. Although it opens out into a series of much larger issues, the brahmin's angry characterization of nuns is also of note. He refers to them as "bald-headed whores," *muṇḍā bandhakiniyo*, which Horner renders as "shaven-headed strumpets," and although they have a different story the corresponding Mahāsāṃghika accounts also have similar insults.[16] These insults—like most insults—probably point to real or perceived social differences or perceptions, and Buddhist sources themselves seem to suggest that it was an ongoing problem to mark and maintain a clear distinction between Buddhist nuns and prostitutes or loose women.[17] In [238] fact the brahmin's "insult" could even be read as a perfectly reasonable, if not very nicely expressed, cultural assumption since the only other group of "single" women who lived together in an Indian city—and this nunnery was clearly in one—would have been prostitutes, their mothers, and daughters. The more precise location of this nunnery—and that is the last but by no means the least detail to be noted here—may also have fed the brahmin's "assumption."

For our purposes the most important detail that this Pāli frame story provides is the specific location of its nunnery. Unlike so many other references to nunneries in Buddhist monastic literature, it locates its nunnery in relation to another building. The Pāli text says that the brahmin seeking his wages . . . *bhikkhunūpassayaṃ nissāya rājakulaṃ gacchati*. Horner translates this as he "went along beside a nunnery to the royal court." But in the very next frame story she translates *bhikkhunūpassayaṃ nissāya yavakkhettaṃ hoti*—virtually the same collocation—as a "cornfield was beside a nunnery."[18] Both presumably cannot be entirely correct and, as will soon be seen, there is good support for thinking that the first of these passages should be translated in the same way as Horner translated the second, and as it is above: something like "he was going to the king's palace near the nunnery." The significance of this is—as will be seen again—that according to what little is known of town planning in early India, this is the same area in which brothels would be located.

In terms of larger issues, it seems obvious from the Pāli frame story that at the time it was written or redacted the *Prātimoksa* rule was understood to have been a response to a serious problem of intra-urban community relations, one in fact that could lead to violence: dumping the contents of their chamber pots onto the head of passing pedestrians [239] would almost certainly not have endeared Buddhist nuns who lived in urban nunneries to their fellow citizens. This would be especially so if the victims were—as they are in all accounts—brahmins or members of the social elite, and for the former the issue of pollution, religious pollution, would have been particularly pronounced. The reaction of the brahmin in the Pāli account might appear to be extreme, but probably should not. What evidence we have would seem to indicate that early Sri Lanka and early India could be—like their modern versions—very violent places. Witness the modern accounts of "untouchables" in Uttar Pradesh being doused with acid for using a pond reserved for the upper castes.[19] There is, however, at least one odd element of the account.

The argument used by the lay brother to convince the irate brahmin not to burn the nunnery down and, indeed, the narrative logic in the Pāli text as we have it, are not perhaps immediately obvious. In part this may be because elements of the narrative—again as we have it—may have been condensed or abbreviated to the point that some of the coherence of the account was lost. This in turn may explain why the logic of the account may have eluded I. B. Horner, or at least does not appear clearly in her still remarkable translation of the Pāli *Vinaya*, but the ability to even see this comes from having an advantage that she did not: a parallel and perhaps earlier account that the Pāli redactors might have been working off.[20]

The trouble starts with the brahmin himself. He is described as *nibbiṭṭharājabhaṭa*, which Horner translates as "a hireling of the King" and this is, of course, perfectly reasonable as a translation, but an odd way to describe a brahmin in the service of an Indian king, especially one who it seems, as the story unfolds, was particularly favored.[21] Far more problematic, however, is Horner's translation of what the brahmin initially thinks or says to himself. She renders *tañ ñeva bhaṭapathaṃ yācissāmīti* as "saying 'I will ask for wages as before,'" but this is much more naturally translated as "I will ask for just the (i.e., my) [240] wages." That something like the latter translation is to be preferred would, moreover, seem to be required by what follows in the text: the lay brother, in diverting the brahmin from fulfilling his intentions, first says that what happened to him was an "auspicious omen"—*maṅgala* here being a noun—then, shifting into futures, he predicts: *sahassaṃ lacchasi tañ ca bhaṭapathan.* Horner renders this as: "You will receive a thousand, and this is (your) wage," and immediately after this when it actually occurs and the text says *sahassaṃ alattha tañ ca bhaṭapatham,* she has he "received a thousand, and this was the wage." But these translations are probably off just enough to miss the point: the dumping of the nun's chamber pot on the brahmin's head was not an auspicious event because he would get the salary which was a thousand—presumably the salary was owed to him and he would get that in any case—but because he would get more than was expected, he would get the salary *and,* or *plus,* a thousand. Again, this interpretation would seem to be an easier and more natural reading of the *ca* construction.

Even with these adjustments, however, the Pāli account seems an ambiguous one since we seem to be left either way with the straight-faced assertion that having the contents of Buddhist nun's chamber pot dumped on a brahmin's head was indeed an auspicious omen, or at least the sly suggestion that brahmins were greedy and gullible enough to think so—the lay brother's assertion is, in any case, represented as sufficient to turn the brahmin away from his pyromaniac intent. Unfortunately, the Pāli account on its own, and as it stands, does not allow for a clear choice of one reading over another. But here some Mūlasarvāstivādin "parallel" versions might help.

The Mūlasarvāstivādin frame story for our rule has come down to us primarily in two slightly variant Tibetan versions, but not in Sanskrit. One version is found in the Tibetan translation of the *Bhikṣuṇī-vibhaṅga* and the other in the still problematic *Sarvāstivādimūlabhikṣuṇīprātimokṣasūtravṛtti.* Since these versions—unlike the Pāli—are not so easily available, and since almost no work has been done on the relationship of the text in one to the text in the other, giving the two Tibetan texts side by side in parallel columns would seem to serve a number of useful purposes at the same time. [241]

Bhikṣuṇī-vibhaṅga (Derge 'dul ba Ta 271a.1–271b.1)	*Vṛtti* (Derge bstan 'gyur, 'dul ba Tsu 125b.3–126a.1)
gleng gzhi ni mnyan yod na'o / sbom dga' mos mang du zos shing mang du 'thungs pas de mtshan mo gci bas thebs nas des shol zangs bzhag ste gcis so / *de nas yang glang po'i sna chen po la gtogs pa dpal skyed ces bya ba / rgyal po gsal*	*ston pa mnyan du yod pa na ste / sbom dga' mos mang du ni za nyung du ni mi 'thung ba las bshang ba gci ba dag mang bar gyur te / nub mo gtsug lag khang gi sgo bcad pas ngan skyugs snod du bsags pa las*

rgyal gyis dbad par bsad ba zhig yod pa de nang par gyi dus su dbyar khang dang nye ba zhig nas rgyal po'i pho brang du song ba las sbom dga' mo des bshad zangs gcin gyis khang la nas brtags par gyur ba mgo la phog par gyur te zhes bya ba nas de ring bdag la bkra shis par 'gyur ram / 'on te bkra mi shis par 'gyur snyam pa las / ji ltar na ni dang ldan gyis rgyal po dpal skyed la bsnad pa byed du bcug nas / de ltar rgyal pos gsang po do pad ma dkar po zhes bya ba zig dang / de'i dbang btang rnyid kyang dar byin no /

de nas dpal skyed kyis ras yug po che zhig khyer te dge slong ma'i dbyar khang du phyin pa ji ltar na sbom dga' mos des nas dang par gyur pa dang zhes bya ba nas dpal skyed kyis 'di skad ces smras so / gang gis nang par gyi dus su khro bo la gzin gyur ba'i de'i gzin ni bkra shis pa dga' bar byed pa yin pas de la khro bo de ring bdam pa ras yug po che 'bul na dge slong ma de gang lags /

de nas sbom dga' mos 'di skad ces / khro bo yin no zhes smras pa dang / des de la ras yug po che zig bdam no /

ji ltar na sbom dga' mo dge slong ma rnams dang lhan cig 'dub cing kyang ba de'i tshe de na re ngan dmyag kyang khyod dang mi mthun no zhes smras pa nas / bcom ldan 'das kyis bka' stsal pa / ma brtags par dus bar mi bya'o / 'dir na de ltang bya do / . . .

de'i tshe rgyal po gsal rgyal gyis blon po dpal 'phel zhes bya ba bka' dbad cig bcad pa las / de 'ang rgyal po la bsnad pa gsol te 'gro ba'i lam du dge slong ma'i dbyar na khang gi drung du byung ba las sbom dga' mos ma brtags par mi gtsang ba'i bum pa rung ba'i rgyab tu 'phangs pa las de'i mgo bar phog nas dpal 'phel gyis bsams pa / yang na ni bdag la bkra shis par 'gyur / yang na ni bdag la mi dge bar 'gyur ro zhes bsams nas song ste rgyal po la bgrod par gsol pa dang / rgyal pos kyang bsnad par gnang ste blon po de yang dga' bar gyur nas bdag la mi gtsang ba'i bum pa 'bor ba gang yin pa de la ras chen po zhig sbyin no snyam nas / dge slong ma'i dbyar na khang du smras pa dang / sbom dga' mo yin par gyur te de la byin no /

phyis sbom dga' mo dge slong ma gzhan dag dang 'thab par gyur pa dang / nga'i bshang ba tsam yang khyod kyis mi nus te nga'i bshang bas kyang ras chen po 'di lta bu rnyed do zhes smras pa las . . .

(Then each gives its version of the rule.)

[242] The determining event was in Śrāvastī.

Sthūlanandā, since she had eaten much and drunk much, when at night she had a need to piss, had kept a chamber pot and pissed in it.

On that occasion, moreover, there was a high officer in charge of

The Teacher was in Śrāvastī.

Because Sthūlanandā ate much and drank not a little she was full of shit and piss. Since at night the door of the *vihāra*[22] was locked she deposited it in a chamber pot.

At that time the officer named Śrīvardhana had been officially elephants named Śrīvardhana who had been reprimanded by King Prasenajit. When in the morning he was going past the nearby nunnery (*varṣaka*) to the king's palace, since that Sthūlanandā was throwing out the chamber pot full of piss without looking around, the stuff fell on his head. Then while he was thinking "Today for me will this be auspicious or will it be inauspicious?", in the meantime Mṛgāra, having induced the King to pardon Śrīvardhana, the King accordingly returned to him the state elephant named Puṇḍarīka and his former rank.

Then Śrīvardhana, carrying a large bolt of cloth, went to the nunnery (*bhikṣuṇī-varṣaka*). As soon as she heard that Sthūlanandā was terrified, but Śrīvardhana said: "Whoever threw out piss on my head this morning, since her piss is what made my good fortune and delight, today I would give to her a large bolt of cloth to wear—who is that nun?" Sthūlanandā then said: "It was I," and he draped that large bolt of cloth on her.

As soon, however, as a quarrel arose between Sthūlanandā and the other nuns, when she said: "Even my vomit is not the likes of you!", the Blessed One said: "One must not throw stuff out without looking around. If it is thrown out it is an offense causing a fall . . .

reprimanded by King Prasenajit, and because he was near the nunnery (*bhikṣuṇī-varṣaka*) on his way to go and ask for pardon from the King when Sthūlanandā, without looking around, threw the potful of filth over the top of the wall and it fell on his head, Śrīvardhana thought to himself: "Will this be auspicious for me, or will this be bad for me?" So thinking, he went on and asked the King for a pardon, and when the King ordered the pardon, and the officer was delighted he thought: "I am going to give a great cloth to that one who threw out a pot of filth on me." Having so thought he said that in the nunnery (*bhikṣuṇī-varṣaka*), and Sthūlanandā being the one, he gave it to her.

Later Sthūlanandā was quarreling with the other nuns and when she boasted indecently: "You are not even up to my shit—even with my shit a great cloth like this was obtained!", . . .

(Then each gives its version of the rule.)

[243] A first observation here would have to be that these two versions are too close to be anything other than slight variants of a single account. Notice that a detail in one sometimes illuminates the meaning of the other. Notice too that both have a very specific cast of characters and these specific characters are the same: Sthūlanandā, King Prasenajit, and, even more importantly, Śrīvardhana. The *Vibhaṅga* account here is even fuller—it introduces Mṛgāra and the elephant Puṇḍarīka as well. Given the questions that surround the affiliation of both the *Vibhaṅga* and the *Vṛtti*, the issue of whether either is Mūlasarvāstivādin, the presence of these named individuals may have unexpected diagnostic value since, while Śrīvardhana is largely unknown elsewhere, he is something of a fixture in the Mūlasarvāstivādin *Vinaya*. In its *Kṣudrakavastu*, for example, in an incident in the biography of the monk Lavaṇabhadrika who, though very ugly, was known for the beauty of his "recitation," both Śrīvardhana and Puṇḍarīka appear:

> On one occasion Prasenajit, the King of Kosala, and his driver (*sārathi*) Śrīvardhana mounted early in the morning his chief elephant Puṇḍarīka and set out for a border town. At the same time the Venerable Lavaṇabhadrika had begun in the morning to recite the Dharma with measured intonation (*svaragupti*). Puṇḍarīka, the chief elephant, heard him. When he heard the measured intonation of the Venerable Lavaṇabhadrika he stood motionless listening. The driver Śrīvardhana, flaying about with his arms and legs, tried to get him going, but he would not move.[23]

Even more pertinent is an incident in the Mūlasarvāstivādin *Cīvaravastu* that has come down to us in Sanskrit. Since it may in fact refer to exactly the same incident that is referred to in the Tibetan *Bhikṣuṇī-vibhaṅga*, and may therefore supply some of the original Sanskrit vocabulary that lays behind the latter, the Sanskrit text might first be cited:

> *rājñaḥ prasenajitaḥ kosalasya śrīvardhano nāma hastiviśvāsikaḥ / so 'pareṇa samayena rājñā avasāditaḥ / viśākhayā śrutam / tayā mṛgāra uktaḥ / tāta sarveṣām amātyānām antyam avasādanam / arhasi śrīvardhanasya devaṃ kṣamayitum /*
> *sa kathayati / putrī kṣamayāmi /*
> *tatas tena rājābhihitaḥ / deva śrīvardhano devasya bhaktaḥ / kṣamyatām asyeti /*
> [244] *rājā kathayati / kṣāntam /*
> *deva yadi kṣāntaṃ tāny asya vṛttipadāni dīyantām*
> *evaṃ bhavatu /*[24]

> The elephant keeper of King Prasenajit was named Śrīvardhana. He on one occasion had been reprimanded by the king. Viśākhā heard about it and said to Mṛgāra: "Father, eventually there is a reprimanding of all officers. You are able to induce the Lord to pardon Śrīvardhana."

> He said: "Daughter, I will induce him to pardon him."
>
> Then he said to the king: "Lord, Śrīvardhana is devoted to the Lord. He should be pardoned!"
>
> The king said: "He is pardoned."
>
> "If, Lord, he is pardoned, his rank and livelihood should be restored!"
>
> "It must be so!"

Given the distinct overlapping of specific details it is virtually certain that all of these texts are coming out of the same narrative tradition, and since there is no doubt that the *Kṣudrakavastu* and the *Cīvaravastu* are Mūlasarvāstivādin, there is a reasonable expectation that the Tibetan *Bhikṣuṇī-vibhaṅga* and the *Sarvāstivādimūlabhikṣuṇīprātimokṣasūtravṛtti* are as well. At the very least this instance of shared specific narrative details between all these texts will provide one important piece of evidence in any future discussion of the affiliation of the last two. But these narrative details in the *Vibhaṅga* and the *Vṛtti* are of interest from another angle as well.

The individualized cast of characters in the presumed Mūlasarvāstivādin *Vibhaṅga* and *Vṛtti* is in marked contrast to the generic cast of the Pāli frame story, even though its account is—until the end—otherwise roughly comparable. Where the first two have King Prasenajit, the Pāli has a nameless king; where the Mūlasarvāstivādin versions have the officer Śrīvardhana and the nun Sthūlanandā, the Pāli has an unnamed brahmin in the pay of a king and an anonymous nun. Although their accounts diverge far more in general outline, in terms of the characters both the Lokottaravādin and Dharmaguptaka frame stories resemble the [245] Pāli version: in the first of these it is simply "une nonne" who empties the pot and "un brāhmaṇe" on whom it falls—both are generic; in the second the nun is "one of the bhikṣuṇīs of the group of six" and the recipient, again, a nameless minister.[25] In the present state of our ignorance it is unfortunately not clear what such differences—even when clearly observable—mean. They may, for example, simply reflect a stylistic characteristic of Mūlasarvāstivādin monastic literature and a more marked preference in it for a greater specific "historicization" of its accounts. For the moment, though, it is worth noting that the Mūlasarvāstivādin account of emptying the chamber pot is much more fully integrated into its larger narrative world than the other accounts are in theirs—this is particularly so if, as seems very likely, the *Cīvaravastu* and the *Vibhaṅga* are referring to one and the same incident.

Although, then, there is a clear difference between the Mūlasarvāstivādin frame stories and the others in regard to the individualization of their cast of characters, there is much broader agreement across the sources on another important narrative element: the location of the nunnery. In fact all but one of the frame

> al with other men that quarter
> the vihāra in this quarter!"
> vihāras built in that quarter the
> [illegible] mercenaries returned from
> their women and beating them, and
> wailing, and loud noises like that of
>
> we were afraid of the rain, we have
> e frying pan into the fire!"[33]

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be of interest because they might link with some things in

stories explicitly refer to a nunnery, and they all provide enough incidental detail to more specifically locate it. The one account that does not explicitly refer to a nunnery is the Lokottaravādin frame story, and it is by far the briefest of all. But even it, as we have seen, implies that the event it narrates took place at the nun's residence and that that residence was in town—again, it would make little narrative sense to have a Buddhist nun carry a chamber pot into town just to have her dump it on a street where a brahmin was walking by.[26] The Pāli *Vinaya*, again as we have seen, not only refers to a nunnery, but locates it more precisely near the royal palace: *bhikkhunūpassayaṃ nissāya rājakulaṃ gacchati.* The same would seem to hold—if somewhat less clearly to judge by Wieger's paraphrase and Heirman's translation—for the Dharmaguptaka account,[27] and certainly [246] does for the frame story found in the Tibetan *Bhikṣuṇī-vibhaṅga.* Indeed, even the wording in the latter is very like what is found in the Pāli, keeping in mind that the Mūlasarvāstivādin tradition uses the term *varṣaka*—Tibetan *dbyar khang*—for "nunnery," where the Pāli uses *upassaya:*[28] *dbyar khang dang nye ba zhig nas rgyal po'i pho brang du song ba.* There is, moreover, some additional narrative evidence in the Mūlasarvāstivādin *Vinaya* that would seem to confirm this location.

Accounts of the founding of nunneries are very rare in Buddhist monastic literature and this makes an already remarkable text in the male *Vibhaṅga* even more so. It is a long text which represents a group of Buddhist nuns actively involved in what might reasonably be called pastoral work and social service among urban women and children in particular. But it also contains an account of the founding of a nunnery for the nun Dharmadinnā.[29]

The text begins by describing a situation that in spite of everyone's efforts was not working: groups of two different kinds of nuns were trying to live together in the same nunnery. One group was headed by Mahāprajāpatī and were *prāhāṇikas* (*spong ba ma*)—those "engaging in (ascetic) exertion," according to Edgerton; "practisers of meditation," according to Lüders;[30] the other group headed by Dharmadinnā were *sūtrāntikas* (*mdo sde'i mtha' pa*) or those who recite the *sūtras.*[31] [247] Although both groups tried to accommodate the other's practice there was—as there was among parallel groups of monks elsewhere in this *Vinaya*—friction,[32] and the nuns "did not increase in good characteristics, like a lotus without water." Dharmadinnā explains the situation to the lay brother Viśākha, who is particularly devoted to her, and she asks if he is able to build a *varṣaka.* He says he has the funds but that, since "the king owns the land," land must be gotten from him. Dharmadinnā approaches the queen, the queen approaches the king, and he gives permission for the *varṣaka* to be built wherever Dharmadinnā wishes. Then the text says:

> The King of Kosala, Prasenajit, had two divisions of mercenaries (*bhaṭa*) named the Mighty Swords and the Soldiers of Fortune, and since when the Mighty War-

> riors went off to war their women slept around with other men that quarter could be deserted, Dharmadinnā said: "Build the *varṣaka* in this quarter!"
>
> When the lay brother Viśākha had the *varṣaka* built in that quarter the nuns began to reside there. But the Mighty Sword mercenaries returned from war, and they began constantly shouting for their women and beating them, and in the streets there were the sounds of them wailing, and loud noises like that of horses and elephants, and a great uproar.
>
> The nuns said: "Noble ones, because we were afraid of the rain, we have walked into a torrent [i.e., jumped from the frying pan into the fire]."[33]

This *varṣaka* or nunnery was most certainly built in town, just as the formal Mūlasarvāstivādin rule delivered elsewhere prescribes all should be. All the details indicate this: it is surrounded by streets, shouting people, plagued by the noise of rough men, loose women, and animals of transport. These same details, however, place the nunnery not just in town—in this case in fact the capital—but in a specific area of town, and not, it seems, in its "best parts." What evidence there is suggests that mercenaries were a king's elite troops and would have been quartered near the palace. Prostitutes, too, were often in the service of the king and would also have been similarly quartered. And the royal stables, particularly [248] the elephant stables, would as well have been close by.[34] Obviously, then, given the presence of rough men, loose women, and horses and elephants in the immediate neighborhood of Dharmadinnā's nunnery, it would appear that although it was not explicitly said to be, it too—like the nunnery in the chamber pot incident—was near the palace. Note that the gentleman on whom the chamber pot was dumped was the officer in charge of the king's elephant—in effect his personal driver—on his way to see the king. Add to this the narrative facts that in yet other accounts the nun Sthūlanandā was able to establish both a tavern and a brothel near her nunnery,[35] and it would seem safe to say that Buddhist nunneries were in these Indian canonical texts commonly located in rough and not necessarily desirable parts of town. This in turn might raise an issue that might otherwise be overlooked: groups of unmarried women living together would have been—insofar as we can tell—in early India distinctly odd, if not suspicious. There would have been no "natural" cultural or physical space for them in the urban landscape except, perhaps, in those areas where the only other groups of unmarried—or at least not visibly married—women lived together in the same place, and these, of course, would have been prostitutes. Recall here what might have been the cultural assumption embedded in the brahmin's initial reaction to getting dumped on in the Pāli and Mahāsāṃghika accounts of the chamber pot: he calls the nuns involved "whores."

Although of interest in their own rights, the accounts of the emptying of the chamber pot may also be of interest because they might link with some things in the archaeological record. Indeed, it is not difficult to imagine the incident of the chamber pot taking place at several points along "Mainstreet"—the thoroughfare leading to the palace—in "Parthian" Sirkap (Taxila), or the narrower lane there called 12th Street [249] that runs directly along the palace.[36] In both urban locations there are building complexes or compounds that are distinguished by the presence of *stūpas*, and whose external walls front the street. These have never been identified as nunneries, and Marshall in fact even suggested they were Jain, in part it seems because Buddhist establishments according to the texts he knew were supposed to be outside towns.[37] Unfortunately, he—like so many others—failed to mark the fact that these texts were referring to male Buddhist establishments or monasteries, and he did not know, or ignored, other texts that require Buddhist nunneries or female establishments to be in towns, or refer to such requirements. In fact, virtually the only Buddhist establishments in towns that the texts refer to are nunneries or for women, and these texts make a strong prima facie case for identifying the complexes found on Mainstreet and 12th Street in Sirkap, and elsewhere, as precisely that—these too are best taken as nunneries. The more precise location of Buddhist nunneries near the royal palace in the texts we have seen, and the actual location of these Buddhist establishments in Sirkap, might be even taken to confirm this.

[250] But if our texts would seem to confirm that their authors and audiences expected that Buddhist nunneries would be located in towns, and if they make a reasonable case—or at least contribute to a reasonable case—for identifying Buddhist establishments in town, like those in Sirkap, as nunneries, they also allow for the exploration of the attitudes of their authors—all almost certainly males—toward brahmins and nuns. The attitudes toward brahmins in Buddhist literatures remain oddly understudied, and the same limited number of overgeneralizations are found again and again in secondary sources. This has occurred in spite of the fact that even a small sampling of texts, like the one found here, when taken from different monastic traditions reveal again and again in regard to almost any topic that there is almost never a single, monolithic Buddhist attitude toward anything. The various accounts of the chamber pot incident we have seen here provide a particularly good example: here the "same" story is told and developed in a variety of ways with a variety of subplots, motives, and targets.

There would probably be a general agreement that the rule requiring Buddhist nuns to look around before they emptied their chamber pots onto the streets or over the wall of the nunneries was intended—like so many of the rules found in Buddhist monastic codes—to lessen or avoid criticism or complaint from the lay community that surrounded them, which in the case of nuns would have been a tightly packed urban one. The rule itself was a more or less straightforward one that could be, and was, expressed in more or less the same terms by the various monastic groups. It was in the frame story that each group could, and did, articulate their more individual points of view and values. Already a long time ago Sylvain Lévi recognized some of this in regard to at least one Buddhist monastic code. He described the "author" of the *Mūlasarvāstivāda-vinaya* as one who

> a pris prétexte des récits ternes et desséchés qui se répétaient dans les couvents à l'appui des prescriptions de la discipline ecclésiastique, pour en tirer une succession de contes qui veulent être édifiants, mais qui sont surtout amusants, pittoresques ou émouvants à souhait.[38]

[251] One might today be inclined to simply say that such an "author" took the dull and dry rules themselves as a pretext to tell a story, putting aside the question of whether or not there were versions prior to the ones we now have; and one might be more inclined to say that while what Lévi suggests was more certainly and particularly true of the "author" of the *Mūlasarvāstivāda-vinaya*, it was probably true—to differing degrees—of all the "authors" or redactors of the Buddhist monastic codes that have come down to us. Many *Vinaya* masters may also have been great raconteurs. Certainly many modern Indian "holy men" are, and even the briefest of our frame stories has the marks of a good tale.[39]

The briefest of the frame stories considered here is found in the *Bhikṣuṇī-vinaya* of the Mahāsāṃghika-Lokottaravādins, and it is one of the three in which a brahmin has a role. But the presence of these brahmins is of interest precisely because they do not have the same role in the different accounts, and these differences would seem to give expression to different Buddhist attitudes toward the brahmin type. In the Dharmaguptaka account, for example, it is the brahmin character who dissuades the irate "minister"—not a brahmin here—who was dumped on from taking legal action against the nun, and who admonishes the nuns about their behavior. Here, in other words, the brahmin has the role that the lay brother or *upāsaka* has in the Pāli account—he acts as the protector of the nuns and promoter of their good behavior.[40] The presentation of the brahmin in the Pāli version could hardly be more different: there he appears in a markedly negative light. He is not only irascible, but prone to violence, and constitutes a powerful threat to the nuns and their property. The contrast here is a little startling and makes it easy to see how, if this negative characterization of brahmins is characteristic of Pāli sources, relying on Pāli sources alone for Buddhist attitudes toward brahmins would be—and probably has been—highly distortive. Indeed, the views still commonly found in our handbooks almost certainly represent only one element of a highly diverse and com[252]plicated picture, and this may be further exemplified by the fact that the brahmin in our Lokottaravādin account is different yet again: he is neither a violent threat nor protective intermediary, but an object of mirth and an individual not to be alienated. This account is short enough to be quoted:

> Le Bienheureux séjournait chez les Kāśi. Une nonne jeta sur la route, sans faire attention, le contenu d'un pot de chambre. Un brāhmaṇe, la tête baignée, vêtu de frais, passait par cette route; le contenu du pot de chambre lui tomba sur la tête, sa tête et ses habits furent tout souillés, et les gens le tournèrent en ridicule: "Brāhmaṇe, te voilà bien baigné, bien pommadé!" Il s'emporta contre la [nonne] et dit: "Espèce d'ascète fille d'*itikitikā!* Tu ne vois pas que ma tête et mes habits sont tout souillés d'excréments?"
>
> Les nonnes firent part de cette affaire à Mahāprajāpatī Gautamī,—etc.[41]

And the Buddha then delivers the formal rule.

In this account the brahmin is not made to pose a threat of direct violence, but appears as a figure whose fastidiousness in regard to cleanliness—read: purity—in combination with the nun's action renders him a potential object of others' ridicule. Ironically this would seem to suggest not the low esteem of brahmins in the environment out of which this version came, or in which it was meant to circulate, but a high one. If the brahmin was not held in high regard the tale would lose its punch and, significantly, what must have been its intended humor. The plausibility of such a reading would seem to be strengthened by the textual fact that in this tradition's telling the only justification for the Buddhist rule is, seemingly, the need to avoid exposing brahmanical fastidiousness to ridicule. At least no other reason is given. Brahmins, however, are not the only figures that are the subjects of narrative comment.

In all versions of the frame story—again almost certainly written by males—nuns too are commented on by virtue of their intentionally constructed presentations. Most broadly, perhaps, they are represented as careless, unconcerned or unaware of other people and their values, and the potential cause of adverse criticism and complaint that would fall on the Buddhist community. More narrowly—but of equal importance—nuns are represented in these accounts, as we have seen, as objects of [253] protection by Buddhist lay brothers and devout or Buddhist brahmins, and subject to admonition from such men. But it is in the Mūlasarvāstivādin accounts, it seems, that the most forceful characterization of nuns appears, and it is here too that brahmins have no role at all: the focus of narrative comment has here shifted entirely to the nun.

It is only in the Mūlasarvāstivādin accounts that the nun who empties the chamber pot has a name. Here it is the nun Sthūlanandā, and the nun Sthūlanandā is in this tradition well known and painted in bold strokes. Like her male counterparts Upananda and Udāyin, who are members of the Group-of-Six (*ṣaḍvārgika*), she is a member—in fact the most visible member—of a parallel group of nuns. All these named figures are strongly drawn, complex and ambivalent. They appear to be in this literature almost the only religious who know and quote Buddhist doctrine—Sthūlanandā calls herself or is called a *tripiṭā,* "one who knows the Three Baskets," on more than one occasion[42]—but they also are represented as using their considerable knowledge of the doctrine and the rules to in fact evade the latter, or to turn them to their own, and usually unedifying, ends. This carefully staged incongruity also very often makes them—like the Buddhist monk in the *Mattavilāsa* or *Padmaprābhṛtaka*—comic figures.[43] And unless I am much mistaken it is this role—the role of the comic figure—that Sthūlanandā was meant to play in the Mūlasarvāstivādin frame story because—again unless I am mistaken—that story appears to be an almost perfect example of Lévi's old observation: here indeed the author of the *Mūlasarvāstivāda-vinaya* appears to have taken a dry but serious rule governing actions that could give rise to adverse criticism as a pretext to pen a little satire on the pretense of learned nuns. The proof of this may emerge in trying to take the account seriously.

[254] The reason for the rule in the Pāli and Dharmaguptika accounts seems straightforward: according to these accounts it was put in place to avoid physical violence or legal action directed against Buddhist nunneries or the nuns. This seems reasonable enough and even has a certain verisimilitude. So too does the reason given in the Lokottaravādin account where the rule was put in place to avoid exposing brahmins and brahmanical values to ridicule. But the reason given in the Mūlasarvāstivādin account, if taken seriously, would appear to be preposterous, and was likely meant to appear so. It is unlikely in the extreme that the author of the Mūlasarvāstivādin account wanted seriously to suggest that this rule—a rule found in all the *Prātimokṣas* for nuns—was delivered by the Buddha himself because without it nuns would have an elevated view of the beneficent power of their excreta, and that this would become a point of pride, and yet when read soberly this is the only reason given for the institution of this rule in the *Mūlasarvāstivāda-vinaya.* It is much more likely that our male author simply took this rule as an opportunity to poke some fun at a certain kind of pretentious nun who he thought—to use a crude but remarkably apropos American expression—"thought her shit didn't stink," to represent such a nun, in other words, as so silly and superstitious as to believe, or to buy into the belief of a royal officer, that contact with her excreta could effect a positive outcome to his troubles, even when the reader has already been told that that outcome had already and actually been effected by the mundane intervention of Mṛgāra.[44]

Some, of course, might think that it is outrageous to think that a pious Buddhist author might actually do this, and outrageous for a modern scholar to even suggest it. But, alas, such a reading fits all too well with a whole series of equally "outrageous" representations of nuns found in this *Vinaya,* a work that Lévi—again long ago—called "un des chefs-d'œu[255]vre de la littérature sanscrite." Nuns in this code, to cite only a few examples, are represented as perfectly capable of burying an unsuspecting monk alive, and attacking a fellow nun with sharp instruments—monks here are in fact explicitly instructed to determine if nuns are carrying concealed weapons before admitting them to a *vihāra.* The nun Sthūlanandā is represented as physically grabbing a male householder and threatening to take him to court, and both would have been really outrageous in classical India. The same Sthūlanandā is also represented as bankrolling both a tavern and a brothel and when royal officials interfere with the women who work there she confronts them and verbally abuses them, calling them, in effect, "sons-of-bitches."[45] Set next to these representations the one found in our frame story seems, indeed, rather tame.

There are, of course, a number of ways of trying to account for such representations, but until there is a fuller study of them there would be little profit in doing so. Suffice it to say that their mere presence would seem to suggest that Buddhist nuns—like brahmins—appear to have been for the male author(s) of this code a powerful force or even threat that had to be dealt with, even if this was only possible through ribald humor. There are as well other issues of intertextuality that might need further consideration—the greater similarity, for example, between the Pāli and Mūlasarvāstivādin frame stories until the very end when the gullibility of brahmin and nun switch places. And there are issues that our texts raise like the narrative fact that laymen, whether *upāsaka,* brahmin, or elephant drivers, came and went in Buddhist nunneries without obstacle or comment. But these too will have to be pursued elsewhere. Here we can only conclude with the observation that both the rule and the frame stories concerning Buddhist nuns emptying their chamber pots would seem to provide—no matter how the details be nuanced—additional strong evidence that the Buddhist nuns that the authors of our monastic codes knew, or were trying to govern, lived in towns and cities, that, in short, early Buddhist nuns in India were urban nuns and, as a consequence, had their own peculiar problems and advantages: they were not carbon copies of the monks.

Notes

1. For the rules mentioned here and some remarks on the term *varṣaka,* see G. Schopen, "The Urban Buddhist Nun and a Protective Rite for Children in Early North India," in *Pāsādikadānaṃ. Festschrift für Bhikkhu Pāsādika,* ed. M. Straube et al. (Marburg: 2009)

359–380 [= Ch. I above]. The present paper is a kind of companion piece to it. For *varṣaka*, see also ns. 22 and 35 below.

2. *Vinayasūtraṭīkā*, Derge, bstan 'gyur, 'dul ba Yu 61b.1: *'dir rtsig pa zhes bya ba ni dbyar khang gi ra ba la bya'o /*.

3. *Bhikṣuṇī-Prātimokṣa*, Derge 'dul ba Ta 21b.4.

4. Cf. Waldschmidt's translation of the Tibetan: ". . . auf die andere (verdeckte) Seite einer Mauer . . ." (E. Waldschmidt, *Bruchstücke des Bhikṣuṇī-Prātimokṣa der Sarvāstivādins mit einer Darstellung der Überlieferung des Bhikṣuṇī-Prātimokṣa in den verschiedenen Schulen* [Leipzig: 1926] 163). It is possible that there is an old corruption in the Tibetan and that the original reading was *pha ga tu*.

5. *Bhikṣuṇī-Vibhaṅga*, Derge 'dul ba Ta 271a.6.

6. C. Vogel was the first to make Bu-ston's observation on the affiliation of the *Bhikṣuṇī-vibhaṅga* preserved in Tibetan available—see C. Vogel, "Bu-ston on the Schism of the Buddhist Church and on the Doctrinal Tendencies of Buddhist Scriptures," in *Zur Schulzugehörigkeit von Werken der Hīnayāna-Literatur* (Abhandlungen der Akademie der Wissenschaften in Göttingen. Philologisch-Historische Klasse. Dritte Folge Nr. 149), ed. H. Bechert (Göttingen: 1985) Erster Teil, 110; see also Schopen, *BMBM*, 284 n. 67.

7. G. Schopen, "On Buddhist Monks and Dreadful Deities. Some Monastic Devices for Updating the Dharma," in *Gedenkschrift J.W. de Jong*, ed. H. W. Bodewitz and M. Hara (Tokyo: 2004) 180–181 [= Ch. XV below].

8. On the text and its title, see F. Enomoto, " 'Mūlasarvāstivādin' and 'Sarvāstivādin,' " in *Vividharatnakaraṇḍaka. Festgabe für Adelheid Mette* (Indica et Tibetica Bd. 37), ed. C. Chojnacki et al. (Swisttal-Odendorf: 2000) 239–250; Schopen, "On Buddhist Monks and Dreadful Deities," 180–181 [= Ch. XV below]—that is all there is so far. The frame story from the text will be cited below.

9. *Sarvāstimūlabhikṣuṇīprātimokṣasūtravṛtti*, Derge, bstan 'gyur, 'dul ba Tsu 126a.1.

10. *Vinayasūtra* (Sankrityayana) 70.17 = *'Dul ba'i mdo*, Derge, bstan 'gyur, 'dul ba Wu 54b.4.

11. É. Nolot, *Règles de discipline des nonnes bouddhistes* (Publications de l'Institut de Civilisation Indienne. Fasc. 60) 318 (§ 249) = *Bhikṣuṇī-Vinaya* (Roth) 288 (§ 249). These references hold as well for the rule itself that will be cited below.

12. A. Hirakawa, *Monastic Discipline for the Buddhist Nuns. An English Translation of the Chinese Text of the Mahāsāṃghika-Bhikṣuṇī-Vinaya* (Tibetan Sanskrit Works Series 21) (Patna: 1982) 14.

13. Hirakawa, *Monastic Discipline for the Buddhist Nuns*, 364–365.

14. For both the Pāli rule and frame story, see Pāli *Vinaya* iv 265–266. Note that the Pāli rule has not only the additive elements found in some other versions—*saṃkāraṃ vā vighāsaṃ vā*, etc.—but is unique in adding as well the causative verb (*chaḍḍāpeyya*) and thereby considerably expanding the scope of the rule. In the Pāli rule it is now an offense whether a nun throws the stuff out herself or has another do it.

15. *vipāceti*. Edgerton (*BHSD*, s.v. *vivācayati*) says in regard to the corresponding Sanskrit form: "Perhaps vipācayati was a bit of ancient slang: gets (one) cooked = reviles," and this might provide a clue to the linguistic register of the passage.

16. Horner, *BD* iii 257; *Bhikṣuṇī-Vinaya* (Roth), 288.8 (*iti-kitikāya dhīte*) and 106 n. 3 where he suggests "daughter of a witch"; Nolot, *Règles de discipline des nonnes bouddhistes*, 318, who leaves *itikitikā* untranslated but at 89 n. 11 briefly discusses it; Hirakawa, *Monastic Discipline for the Buddhist Nuns*, 365: "daughter of a whore."

17. To cite but one example, the *Mūlasarvāstivāda-vinaya* has a rule forbidding nuns from standing at the door of the *varṣaka* (*Kṣudrakavastu*, Derge 'dul ba Da 151a.5), and this is almost certainly connected with a cultural perception expressed, for example, in the *Kāmasūtra* where the first of a long list of "women who can be easily had" (*ayatnasādhyā yoṣitas*) is "a woman who stands at the door" (*dvāradeśāvasthāyinī*—S. D. Śāstrī, *Kāmasūtram of Śrī Vātsyāyana Muni* [Kashi Sanskrit Series 29] [Varanasi: 1964] 521.11). This *Vinaya* also has accounts of the problems involved in ordaining prostitutes and a rule against doing so (*Bhikṣuṇī-vibhaṅga*, Derge 'dul ba Ta 74a.3ff.; 306b.5ff.).

18. Horner, *BD* iii 257 and 259. There are good reasons for thinking that Pāli *yavakheta* is secondary here. The rule itself in Pāli uses the term *harita*—as apparently do almost all the other female and male *Prātimokṣas*—and chances are that the rule referred to something like a lawn or grassy place; cf. Waldschmidt, *Bruchstücke des Bhikṣuṇī-Prātimokṣa*, 163—but the issue requires fuller study.

19. T. O'Neill, "Untouchable," *National Geographic* (June 2003) 2–31.

20. This other account—the Mūlasarvāstivādin frame story—at least raises the possibility, as we will see, that there are satirical elements in the Pāli account as well.

21. It is not impossible that *nibbiṭṭharājabhaṭa* reflects a sarcastic Sri Lankan Buddhist view of the brahmanical *purohita*.

22. Note the use of *vihāra* (= *gtsug lag khang*) here, but *bhikṣuṇī-varṣaka* (*dge slong ma'i dbyar mo khang*) twice in what follows. The *Vibhaṅga* uses both *varṣaka* (*dbyar khang*) by itself and *bhikṣuṇī-varṣaka* (*dge slong ma'i dbyar khang*), but not *vihāra*. This kind of variation in both word choice and spelling is typical, as is the fact that while *vihāra* is sometimes used to refer to a nunnery in Mūlasarvāstivādin sources, *varṣaka* or *bhikṣuṇī-varṣaka* are much more commonly and characteristically used.

23. *Kṣudrakavastu*, Derge 'dul ba Tha 42b.5.

24. *Cīvaravastu*, *GMs* iii 2, 66.15.

25. For the Dharmaguptaka account see L. Wieger, *Bouddhisme chinois. I Vinaya. Monachisme et Discipline. Hinayana, Véhicule inférieur* (Ho-kien-fou: 1910) 453; A. Heirman, *"The Discipline in Four Parts." Rules for Nuns according to the Dharmaguptakavinaya* (Delhi: 2002) 607–609.

26. See above p. 27.

27. See the references in n. 25 above.

28. It appears that whenever the term *upassaya* occurs in the Pāli *Vinaya* it virtually always refers to a residence for nuns, regardless of whether or not it is compounded with a preceding *bhikkunī-* (there are probably only two cases in *uddānas* where this is not absolutely certain). Sanskrit *varṣaka* too is sometimes compounded with a preceding *bhikṣuṇī-*, but commonly is not (see n. 22 above). Even without being able to explore the implications it is worth noting further that there appear to be far, far more references to nunneries in the *Mūlasarvāstivāda-vinaya* than there are in the Pāli *Vinaya*.

29. *Bhikṣu-vibhaṅga,* Derge 'dul ba Cha 188a.5–196a.6.

30. *BHSD,* s.v. *prābhāṇika;* H. Lüders, *Mathurā Inscriptions* (Abhandlungen der Akademie der Wissenschaften in Göttingen. Philologisch-Historische Klasse. Dritte Folge, Nr. 47) (Göttingen: 1961) 83. Neither Edgerton nor Lüders was aware of the fact that references to *prābhāṇika* monks were relatively common in the *Mūlasarvāstivādavinaya,* or that they are almost never presented in a positive light (for some examples from the *Kṣudrakavastu* alone, see Derge 'dul ba Tha 39a.6–39b.5; 102a.5–104b.2; 213b.3–214a.7; Da 35ba.2–36a.2). References to nuns who were *prābhāṇikas* are, by contrast, very rare, and this reference to Mahāprajāpatī's group as *prābhāṇikas* appears to be an isolated one.

31. References to nuns who are *sūtrāntikas* occur already in the Sāñcī inscriptions (see Schopen, *BSBM,* 249) but are not common there, or in literary sources.

32. *Bhaiṣajyavastu, GMs* iii 1, 56.20.

33. *Bhikṣu-vibhaṅga,* Derge 'dul ba Cha 189a.7.

34. See, for example, R. P. Kangle, *The Kauṭilīya Arthaśāstra,* 2nd ed. (Bombay: 1969), Pt. 1, 2.4.1–.32.

35. *Kṣudrakavastu,* Derge 'dul ba Da 156a.3–b.7; 156b.7–158a.3—the site of both is described as *dbyar mo khang dang nye bar, dbyar mo khang dang nye ba na, dbyar mo khang dang nye ba zhig tu,* or *dbyar mo khang gi drung du.* Compare the phrasing here with the description of the location of the palace vis-à-vis the *varsaka* in the incident of the chamber pot cited above.

36. In using the word "palace" I follow J. Marshall, *Taxila. An Illustrated Account of Archaeological Excavations Carried out at Taxila under the Orders of the Government of India between the Years 1913 and 1934* (Cambridge: 1951), Vol. 1, 171ff.; for the Plan of "Parthian" Sirkap, see Vol. 3, pl. 10; for a revised dating of it, see G. Erdosy, "Taxila. Political History and Urban Structure," in *South Asian Archaeology 1987,* ed. M. Taddei (Rome: 1990), Vol. 2, 657–674. It is also well to keep in mind, as both Marshall and Erdosy have pointed out, that as the latter says, "Sirkap was not an ordinary city, but an elite residence within what must have been a greater urban entity," 669; also 670–671. And while it is easy to imagine the incident of the chamber pot occurring on the streets of Sirkap (or any other town), it is almost impossible to see how it could have occurred at Buddhist establishments outside towns where there were neither streets nor roads nor passersby near the walls—see the photographs of the isolated settings of Kalawān and Moḥṛā Morādu, for example, in Marshall, *Taxila,* Vol. 3, pls. 75a, 94.

37. Marshall, *Taxila,* Vol. 1, 140, 145. Virtually no one has accepted this suggestion—see D. Mitra, *Buddhist Monuments* (Calcutta: 1971) 124; A. H. Dani, *The Historic City of Taxila* (Paris: 1986) 98; P. Callieri, "Buddhist Presence in the Urban Settlements of Swāt, Second Century BCE to Fourth Century CE," in *Gandhāran Buddhism. Archaeology, Art, Texts,* ed. P. Brancaccio and K. Behrendt (Vancouver: 2006) 74; etc. Another reason behind Marshall's suggestion was the presence of some small, curious "ritual" or "votive" tanks at these urban sites, but see, again, Schopen, "The Urban Buddhist Nun and a Protective Rite for Children in Early North India" [= Ch. I above].

38. S. Lévi, "Note sur des manuscrits sanscrits provenant de Bamiyan (Afghanistan), et de Gilgit (Cachemire)," *JA* (1932) 23) [. . . has taken as a pretext the dull and dry

accounts which were repeated in the monasteries in support of the prescriptions of the ecclesiastic discipline in order to draw from them a series of stories which, while meant to be edifying, were above all amusing, picturesque, or touching, according to his want.]

39. For a particularly good example of the Indian "holy man" as raconteur, see K. Narayan, *Storytellers, Saints, and Scoundrels. Folk Narrative in Hindu Religious Teaching* (Philadelphia: 1989).

40. The Dharmaguptaka account—not cited here because of its length—is now easily available in Heirman, *"The Discipline in Four Parts,"* 607–609.

41. Nolot, *Règles de discipline des nonnes bouddhistes,* 318. [The Blessed One was staying in Kāsi. A nun threw out on the road, without paying attention, the contents of a chamber pot. A brahmin, his head bathed, his clothes new, passed by on the road. The contents of the chamber pot fell on his head and his head and clothing were all soiled. Men turned in ridicule: "You, brahmin, are certainly well bathed, your hair well dressed!" He was furious with the nun and said: "Stupid ascetic daughter of an itikitikā! Do you not see that my head and clothing are all soiled?" The nuns reported the affair to Mahāprajāpāti Gautami . . .]

42. *Bhikṣu-vibhaṅga,* Derge 'dul ba Ja 227a.1; *Bhikṣuṇī-vibhaṅga,* Derge 'dul ba Ta 222a.5. For one prominent and presumably very wealthy nun who carries the same title in inscriptions see Schopen, *BSBM,* 246–247.

43. See Schopen, "On Buddhist Monks and Dreadful Deities," 176–178 [= Ch. XV below]; G. Schopen, "The Learned Monk as a Comic Figure. On Reading a Buddhist Vinaya as Indian Literature," *JIP* 35 (2007) 201–226 [= Ch. XVIII below]. For the *Mattavilāsaprahasana,* see M. Lockwood and A. V. Bhat, *Metatheater and Sanskrit Drama,* 2nd rev. and enlarged ed. (Madras: 2005) 107–187; for the *Padma,* J. R. A. Loman, *The Padmaprābhṛtakam. An Ancient Bhāṇa Assigned to Śūdraka* (Amsterdam: 1956) esp. 36–37 and 61–62.

44. It is of course possible that an additional target here might be some of the more extreme attitudes and practices in regard to the bodily products of the guru but these are hard to document. There might also be some connection here with a text like that found at *Kathāvatthu* XVIII.4 in which certain non-Theravādins are said to have seriously maintained that the Buddha's excreta was far superior to any perfume (*buddhassa bhagavato uccārapassāvo ativiya aññe gandhajāte adhigaṇhāti*), but this sort of thing is also not well documented; cf. A. Bareau, *Les sectes bouddhiques du petit véhicule* (Paris: 1955) 96 (no. 56), 251 (no. 29), 260.

45. For the first of these see Schopen, *BMBM,* 341ff.; for the second *Bhikṣuṇī-vibhaṅga,* Derge 'dul ba Ta 123a.5–124a.2; for the third the texts in the *Kṣudrakavastu* referenced in ns. 3–5 above.

CHAPTER III

On Incompetent Monks and Able Urbane Nuns in a Buddhist Monastic Code

THE REDACTORS OF THE *MŪLASARVĀSTIVĀDA-VINAYA* can probably not be easily accused of presenting an overinflated view of the level of textual or doctrinal learning of the monks they were trying to govern. In fact scattered throughout this massive *Vinaya* are any number of indications that they either saw, or foresaw, situations in which the monks they were writing for were, or would be, either ill-informed or, frankly, very stupid. An easily available example might be found in the account in the *Bhikṣu-vibhaṅga* of the *Mūlasarvāstivāda-vinaya* of the painting of the wheel of rebirth that was to be made on a monastery's porch.[1] When it has been painted there {108} and brahmins and householders see it they ask the monks what it is. But the monks say in regard to the pictorial representation of what is supposed to be a central Buddhist doctrine, "We, sirs, also do not know" (*bhadramukhā vayam api na jānima iti*).[2] Who these monks were is not stated, but they are represented as not knowing what was painted on their own monastery's wall. But the text goes on to explicitly say that some monks in the Community were not just uninformed, but stupid. As a result of this exchange between monks and visiting laymen the text then says:

> The Blessed One said: "A monk must be assigned to be on the porch who will instruct the brahmins and householders who continually come!"
>
> When the Blessed One had said "A monk must be assigned," the monks assigned without distinction even the ignorant, the stupid, the simple, the incompetent (. . . *te aviśeṣeṇoddiśanti bālān api mūḍhān apy avyaktān apy akuśalān api*).[3] They themselves did not know, how much less will they instruct the brahmins and householders who continually came.
>
> The Blessed One said: "A competent (*pratibala*) monk must be assigned!"[4]

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Here the ignorance of monks emerges at two points. First the generality of monks encountered by lay visitors to the *vihāra* lacked the requisite knowledge needed to explain the painting and the doctrine represented. Then, second, the text indicates that all monks were not "competent," and that some at least were "ignorant," "stupid," etc. While the frankness here might be a little startling, it should be kept in mind that *Vinaya* texts were not meant for public consumption, but were strictly—*very* strictly—in-house documents, hence their considerable historical value. It is also true that there is nothing even vaguely exceptional about this passage and even some of its exact language occurs elsewhere. Another passage in the *Vibhaṅga* is a particularly good example.

[109] By the time of the *Vinayas* it was an established rule that on the occasion of the "fortnightly gathering" (*upoṣadha*) a monk was to admonish (*avavadati*) or give "admonishment" (*avavāda*) to the Community of Nuns. This requirement is presented, however, as creating a long series of problems.[5] As one solution the Buddha is made to rule that a monk must be appointed as the "Admonisher-of-Nuns" (*dge slong ma ston pa = bhikṣuṇyavavādaka*) by a formal act of the assembled male Community, but then the same thing that happened in the case of the appointment of a monk to explain the wheel of rebirth happened here, and it is described in virtually the same words:[6]

> When the Blessed One had said "the Community must assign the Admonisher-of-Nuns" it assigned without distinction even the ignorant, the stupid, the simple, the incompetent (*de dag bus pa yang rung rmongs pa yang rung / mi gsal ba yang rung / mi mkhas pa yang rung ste bye brag med par sko bar byed nas . . .*), and since they themselves were untrained it was not possible for them to train others, themselves not being tranquil it was not possible to make others so, . . .

When this occurred in the case of the monk who was to be assigned to explain the wheel of rebirth the Buddha—as we have seen—was made to require that the monk be "competent" (*pratibala*), without further defining what that meant. In the case of the "Admonisher-of-Nuns," however, he is presented as being more precise, and the requirements here are of interest for both what they suggest about monks and what they suggest about nuns:[7]

> The Blessed One said: "One possessed of five essential qualities must be assigned as the Admonisher-of-Nuns! Which five? He is possessed of good conduct (*tshul khrims dang ldan pa = śīlavat*); is one of great learning (*mang du thos pa = bahuśruta*); is a Princely Elder (*gnas brtan rgyal tshab lta bu = sthaviro bhavati rājanya*);[8] he is one possessed of urbane speech (*grong khyer pa'i skad = nāgaralapita*); and he is one who has not offended a nun by touching her with his body, and even if he has offended one he has properly made amends for that offense. How is one possessed

> of good conduct? One of whom there is no commission of any of the offenses among the four deserving of expulsion (*pham par 'gyur ba* = *pārājika*) is thus possessed of good conduct. How is one of great learning? One who has recited and learned in full the *Prātimokṣa-sūtra* is thus one of great learning. How is one a Princely [110] Elder? One who has been ordained for twenty or more years is thus a Princely Elder. How is one possessed of urbane speech? The court is called urbane; one possessed of its speech is thus one possessed of urbane speech. How is one one who has not offended a nun by touching her with his body? One who has not brought his body into contact with a nun is thus one who has not offended a nun by touching her with his body."

It might first be incidentally noted here that a similar list occurs in the Pāli *Vibhaṅga* but the list there is considerably more developed—it has a formal list of eight required characteristics, but then adds many more in explanation,[9] and although the Pāli *Vibhaṅga* does not explicitly refer to incompetent or stupid monks its *Bhikkhunī-Khandhaka* has a specific rule against "ignorant" (*bāla*) monks admonishing nuns.[10] The Mūlasarvāstivādin list, however, not only occurs in a large number of places—it is repeated in the *Uttaragrantha*, in at least five commentaries, in Guṇaprabha's *Vinayasūtra* and his(?) *Ekottarakarmaśataka*, in Viśākhadeva's *Vinayakārikā*, and in Viśeṣamitra's *Vinayasaṃgraha*—but remains almost entirely consistent across this wide range of sources.

The fourth of the Mūlasarvāstivādin required characteristics may reveal something important about the social standing of the nuns this tradition had to deal with. It indicates that the monk who was to admonish nuns *must be* "possessed of urbane speech." In the one source that we have in Sanskrit—Guṇaprabha's *Vinayasūtra*—the term used is *nāgara-lapita*, and this is translated into Tibetan as *grong khyer ba'i skad smra ba*, literally: "one speaking the language of those living in a city."[11] It is, of course, not absolutely certain that Guṇaprabha uses exactly the same Sanskrit term that was used in the canonical sources, but the latter could not have been, in sense, very different. In the *Vibhaṅga* passage translated above the Tibetan has *grong khyer pa'i skad dang ldan pa*; the *Uttaragrantha* has *grong khyer gyi skad dang ldan pa*[12]—the first meaning literally "possessed of the speech or language of those living in a city," the second "possessed of the speech or language of the city." The *Vibhaṅga* also explicitly identifies the speech or language of those living in a city with the language of the court—*pho brang 'khor* = *antaḥpura*, *rājakula*—and the *Mahāvyutpatti* gives *paurī-sāṃkathya* as the equivalent of *pho brang 'khor gyi skad*.[13] Viśeṣamitra combines both in giving the fourth characteristic as *pho brang 'khor ram / grong khyer gyi skad*, "the speech/language of the court or of the city," and in Viśākhadeva it appears as *phun tshogs tshig ldan*, [111] "having well turned or elegant (*saṃpanna*) speech."[14] That a monk who was to admonish nuns was required to speak in this way, was required to have urbane, courtly, and elegant speech, would seem to make sense only if the nuns the redactors of this *Vinaya* knew spoke in this register and were themselves urbane—a monk, in other words, was required to speak this way because that was the way nuns spoke. This in turn would suggest that the nuns the redactors thought their monks would have to deal with were most decidedly not country bumpkins or farmers' daughters, but sophisticated and urbane women. The fact that this had to be made a specific requirement would also seem to suggest that not all the monks the redactors knew would be able to speak at such a level or in the same sophisticated register that nuns did.[15] But there appears to be an odd contrast between what was required of the monk who was to admonish nuns in the domain of conversational or speaking skills, and what was required of him in the areas of ecclesiastical behavior and textual knowledge.

In contrast to what might be considered the high expectations in regard to a monk's speaking skills, the "good conduct" (*śīla*) required of the monk who was to admonish nuns seems to have been rather minimal. Both the *Vibhaṅga* and the parallel in the *Uttaragrantha* define "possessed of good conduct" to be nothing more than not having committed any of the four most serious monastic offenses or *pārājikas*. Guṇaprabha indicates the same when he substitutes *aparājita,* "undefeated," for *śīlavat,* and commentaries on the *Prātimokṣa-sūtra,* if they gloss the term, repeat what was said in the *Vibhaṅga.*[16] None of the postcanonical sources, in fact, appears to go beyond this minimal definition in this case, nor do any deal with the seeming fact that any monk who had committed a *pārājika* would already have been disqualified as an admonisher of nuns: a monk who committed a *pārājika* either ceased to be a monk, and therefore could not be so assigned; or if he chose—as we now know he could—to remain a member of the Community he would have to have accepted the status of a *sikṣādattaka* in a formal ritual, and a *sikṣādattaka* was explicitly forbidden to act as an admonisher of nuns.[17]

But if the redactors of the *Mūlasarvāstivāda-vinaya* required relatively little to qualify as "possessed of good conduct" (*śīlavat*), they also seem not to have expected very much from one who they describe as "having great learning" (*bahuśruta*). In the *Vibhaṅga* such a one need only "have recited and learned in full the *Prātimokṣa-sūtra,*" and although we might have thought this would be a bare [112] minimum this is also the full or only requirement in the *Uttaragrantha* as well. In fact the latter may require even less: it defines "one of great learning" as "one who expounds the *Prātimokṣa-sūtra* or has recited it" (*des so sor thar pa'i mdo bshad pa 'am kha ton du byas par gyur ba'o*). Some of the postcanonical sources also repeat this in one form or another: Viśeṣamitra says one is qualified as "of great learning" because he "has heard in detail the recitation of the *Prātimokṣa-sūtra*" (*mang du thos pa ste / so sor thar pa'i mdo gdon pa rgya chen* (rd: *cher*) *thos pa'i phyir*); and an anonymous commentary on the *Prātimokṣa-sūtra* says: " 'having great learning means he is able to explain the complete *Prātimokṣa* and knows how to recite it" (*mang du thos pa ni so sor thar pa rgyas pa 'chad nus shing kha ton du shes pa'o*).[18] But other postcanonical sources in this case—unlike what was seen in the case of *śīlavat*—appear to go far beyond the narrow definition of *bahuśruta* found in the *Vibhaṅga* or *Uttaragrantha*. The *Prātimokṣasūtravṛtti*, another anonymous commentary, for example, replaces *bahuśruta* with the far, far broader *sde snod gsum 'dzin pa* = *tripiṭaka-dhara*, or "Preserver of the Three Baskets," and Guṇaprabha does much the same in his *Vinayasūtra*: he replaces the canonical *bahuśruta* with *sūtravinayamātṛkā-dhara*, "one who preserves the *Sūtra* and *Vinaya* and Summaries."[19] However, the *Ekottarakarmaśataka*, a manual of formal monastic acts also attributed to Guṇaprabha in the Tibetan tradition, appears to go in two different directions. It retains the term *bahuśruta* = *mang du thos pa*, without defining it, but then says: "If there is no monk of great learning, then a reciter of the *Prātimokṣa-sūtra* can also be assigned. If there is not even such a one, then one who is able to teach the eight *pārājikas* for nuns and the eight heavy rules can also be assigned." And it seems—the text here is not altogether clear to me—even to allow for the situation where there is no monk who can do even that little or who knows even that.[20]

It might be noted that the rewordings found in the *Prātimokṣasūtravṛtti* and the *Vinayasūtra* only emphasize the very limited nature of the body of knowledge that a monk needed to have in the canonical sources to be qualified or considered "one of great learning": he need only know one short *Vinaya* text, and there is no mention at all of any doctrinal text in the canonical sources. This does not seem to be asking much, and yet the mere fact that this had to be made an explicit requirement must almost unavoidably suggest that not all monks that the redactors knew knew even that much. The *Ekottarakarmaśataka* would seem, in fact, to make this explicit, and it is not alone.

[113] Most modern scholars probably assume that all monks knew—at a minimum—the *Prātimokṣa-sūtra*.[21] But the redactors of the *Mūlasarvāstivāda-vinaya* do not seem to have made the same assumption. To judge by a detailed text in their *Kṣudrakavastu* they seem to have made a very different assumption. At least they envisioned, or made rules to govern, situations in which even senior monks were incapable of reciting the *Prātimokṣa*, and they foresaw or provided rules to deal with the possibility that no one in a given *vihāra* might be able to do so. Although not short, and characteristically repetitive, this text deserves to be translated in full:[22]

> The Buddha, the Blessed One, was staying in Śrāvastī, in the Jetavana, in the Park of Anāthapiṇḍada.
>
> The Blessed One had said "each half month at the time of the fortnightly gathering (*upoṣadha*) there must be a recitation of the *Prātimokṣa*!" But when the

monks did not know by whom the recitation should be done, the Blessed One said: "By the Elder of the Community (*dge 'dun gyi gnas brtan = saṅgha-sthavira*)[23] the recitation must be done!"

When the Blessed One had said "by the Elder of the Community the recitation must be done," then each half month at the time of the fortnightly gathering the Elder of the Community undertook the recitation. But then the Elder who lived in a certain *vihāra* was not competent (*aśakta*) to recite, and the monks said to him: "Elder, the time for the fortnightly gathering has arrived—why are you not thinking about that?"

He said, "Venerables, since I am not competent, how will I do it?"

The monks reported the situation to the Blessed One, and the Blessed One said: "If the Elder of the Community is incompetent, by the Second Elder (*gnas brtan gnyis pa = dvitīyasthavira*)[24] it must be recited!"

[114] When the Blessed One had said "by the Second Elder it must be recited," then the Second Elder in a certain *vihāra* was also incompetent, and when the monks reported the situation to the Blessed One the Blessed One said: "If the Second Elder is also incompetent, by the Third Elder it must be recited!"

When the Blessed One had said "by the Third Elder it must be recited," then even the Third Elder in a certain *vihāra* was incompetent, and the monks reported the situation to the Blessed One, and the Blessed One said: "If the Third Elder is also incompetent, it must be recited by the monks reading by turns!"[25]

When the Blessed One had said: "It must be recited by the monks reading by turns" the monks begin to recite it reading by turns. But when the turn fell on some of those among the monks who were to recite by turns who were competent, and on some who were not competent, those who were competent when their turn came performed the recitation of the *Prātimokṣa-sūtra* then each half month, but those who were not competent when their turn came said, since they did not know it, "How will I do it?"

The monks reported the situation to the Blessed One, and the Blessed One said: "He must entrust it to one who is competent!"

When the Blessed One had said "when the turn falls on one who is not competent he must then entrust it to another," then in a certain *vihāra* the incompetent one on whom the turn fell entrusted to another and when that one was not fit, the monks reported the situation to the Blessed One, and the Blessed One said: "It must always only be entrusted to another who is competent!"

When the Blessed One had said "each half month the *Prātimokṣa-sūtra* must be recited by the Elder of the Community. If not him, by the Second Elder. Even if not him, by the Third Elder. If still not him, it must be recited by reading it in turn, or it must be entrusted to another who is competent!", and there being no one at all in a certain *vihāra* who could recite the whole teaching of the *Prātimokṣa-sūtra*, the Elder of the Community recited the four [115] offenses de-

> serving expulsion (*pārājika*) and even though the rest was not recited the monks held the fortnightly gathering.
>
> The monks reported the situation to the Blessed One, and the Blessed One said: "The fortnightly gathering must not be held. However, whoever can recite something, he should recite that: if the Elder of the Community can recite the four offenses deserving expulsion, he must recite those, someone else the thirteen offenses requiring suspension (*saṃghāvaśeṣa*), someone else the two undetermined offenses (*aniyata*), someone else the thirty offenses causing a fall which involve forfeiture (*niḥsargika-pātayantikā*), someone else the ninety offenses causing a fall (*pātayantikā*), someone else the four offenses requiring confession (*pratideśanīya*), someone else the numerous rules of good behavior (*śaikṣā dharmāḥ*), someone else the seven rules for allaying disputes (*adhikaraṇa-śamatha*)—if the divisions of the fortnightly gathering are combined in this way I do not say there would be an obstacle to the fortnightly gathering."

These same rules, of course, also appear in various Mūlasarvāstivādin handbooks like Guṇaprabha's *Vinayasūtra* (with its four Indian commentaries), his *Ekottarakarmaśataka*, and Viśeṣamitra's *Vinayasaṃgraha*, indicating at least that these provisions remained in place for a very long time.[26] But since such handbooks were apparently meant to be comprehensive, and would therefore be bound to repeat whatever was found in the canonical *Vinaya*, they may not tell us very much about their compilers' current expectations or situation. It is the expectations and assumptions of the compilers of the canonical *Vinaya* then that are most clearly reflected in these rules, and it would appear that those compilers at least did not have the same generous view of many—if not most—modern scholars in regard to the extent of textual learning on the part of Buddhist monks. They certainly did not seem to assume that all monks would know at least the *Prātimokṣa-sūtra*. They appear not even to have assumed that all senior monks (*saṃghasthaviras*) would know the whole of this comparatively short work. And these monks appear to have been both institutionally and spiritually at the head of Buddhist monastic Communities.[27] Indeed, the compilers of the canonical *Vinaya* seem to have assumed, or expected, or foresaw situations in which even the most senior monks {116} might only know the four *pārājikas*, or most serious offenses, and while this might be surprising to us it is not out of keeping with other provisions in this *Vinaya:* its *Kṣudrakavastu* contains a long and amusing account of how a monk was seduced by his former wife that ends with the rule that the four *pārājikas*—but only them—must be explained in detail to an individual as soon as he has entered the Order (*de lta bas na gnang gis rab tu byung ma thag tu phas pham par gyur ba'i chos bzhi rgyas par shod cig*)[28]; and the rules governing the ordination ceremony found in its *Pravrajyāvastu* and elsewhere only require that the four *pārājikas* be declared to the ordinand—the rest of the *Prātimokṣa-sūtra*, the text in effect says, can be picked up over time from a variety of sources: the fortnightly recitation, preceptors, fellow students, etc.[29] But the compilers of the canonical *Vinaya* seem to have assumed that it would not be just senior monks who would not know the entire *Prātimokṣa-sūtra.* They at least make provisions for situations in which any number of rank-and-file monks would not, and even provide for or foresee occasions in which not a single monk in a given monastery would know the complete text, or situations in which if a monk knew anything of the *Prātimokṣa-sūtra,* he would know only one of its divisions, and each division was known by a different monk in a given Community. The assumptions or expectations of the compilers of this *Vinaya* in regard to the textual knowledge of monks, then, differed radically from what is commonly found in our modern handbooks—they seem to take as a given the possibility that numerous monks would be incapable of reciting even the *Prātimokṣa-sūtra.* The *Prātimokṣa,* however, was not the only thing they assumed monks might not be able to recite, nor was the wheel of rebirth the only thing they assumed monks might not be able to explain or teach. Yet another text in the *Kṣudrakavastu*—one that has {117} some features in common with the text dealing with the recitation of the *Prātimokṣa*—would seem to indicate that its compilers assumed that even very senior or high-ranking monks would be incapable of teaching *Dharma* to devout householders.[30]

> The setting was in Śrāvastī.
>
> A householder who was rich, had great wealth and extensive property, lived in Śrāvastī, and he at one time, being devout in regard to the Buddha, being devout in regard to the *Dharma* and the Community, invited the Community of Monks headed by the Buddha to a meal at his house, and the Community of Monks went. The Buddha, the Blessed One, to achieve an objective,[31] remained away and had alms brought to him.
>
> From the words: "For five reasons Buddhas, Blessed Ones, to achieve an objective, remain away and have alms brought to them," up to the words: "In this case the Blessed One, wishing to promulgate a rule of training in the *Vinaya* for his disciples, to achieve this objective stayed away and had alms brought to him," as before.[32]
>
> When the monks had eaten the meal they left just like that, and that householder, having wanted to hear the *Dharma,* looked around, and there being not even a single monk there, he complained. Hearing of that situation, monks reported it to the Blessed One, and the Blessed One said: "Monks, since there is a foundation to the complaint of that householder, a monk therefore must not just go away after having eaten a meal. He must teach to a donor (*sbyin bdag* = *dānapati*) who wants the *Dharma!* If he goes without teaching he comes to be guilty of an offense."
>
> When the Blessed One had said "he must teach to a donor who wants the *Dharma,*" and the monks did not know who was to teach, the Blessed One said:

> "The Elder of the Community must teach! If he is not competent, the Second Elder must! If he too is incompetent, monks must be appointed in sequence! Or if there is another who is competent, he must be requested!"

[118] As in the case of the painting of the wheel of rebirth, here too there is an expectation that monks will not be competent to teach or explain, but here that expectation is not limited to any specific, even moderately complicated "doctrine," but is undefined and general, and—to judge by the context—might very well not have involved anything very sophisticated.[33] As in the case of the recitation of the *Prātimokṣa* too, and expressed in much the same language, this general incompetence was expected or thought possible at the highest level. Here too it was not junior monks who were the objects of concern or comment, but the most senior and, apparently, those of the highest rank. Secondarily, it is also worth noting that Mūlasarvāstivādin monks were only required by the rule delivered here to teach *Dharma* at the end of a meal to those donors who wanted it, suggesting, at least, that some may not have been particularly interested.

But the expectation of the incompetence of monks—even high-ranking monks—in the *Mūlasarvāstivāda-vinaya* is not limited to teaching, whatever the subject, or to recitation and knowledge of monastic rules. It extends as well to what may have been common, even daily, liturgical contexts, as our final two examples would seem to show. They too involve recitation, one in-house, the other more decidedly public.

To judge by the work schedules assigned to certain errant monks, each day in a Mūlasarvāstivādin monastery was to both begin and end with a formal gathering involving the orderly arrangement of seats and the setting out of censers and incense. At this twice-daily communal gathering the primary activity appears to have been the performance of "the Proclamation of the Qualities of the Teacher" (*śāstṛguṇasaṃkīrttana*).[34] What exactly this was remains to be determined, but since it is commonly paired with the *Tridaṇḍaka*, which was clearly a three-part recitative ritual, and both are the object of verbs meaning to recite, it too must have been, or referred to, a liturgical text or one type of recitation. It and the *Tridaṇḍaka* appear in fact to have been particularly marked out for ritual use: they, and they alone, were allowed to be—indeed required to be—recited with a certain "measured intonation" (*svaragupti*), which may have been something like "chant," and which the monks, presumably all monks, were supposed to learn.[35] But clearly all monks did not do so, and the compilers of the canonical *Vinaya* anticipated that this would be the case.

[119] The errant monks who were assigned the task of reciting the Proclamation of the Qualities of the Teacher at the morning and evening communal gathering had committed an offense and were undergoing probation or penance. They therefore

could have been monks of any status or standing, from very junior to very senior, and could easily have constituted a fairly typical cross-section of any given Community. But once again the compilers of our *Vinaya* could foresee that any number of monks among this typical cross-section might not be capable of performing this common quotidian recitation, or made provisions to deal with such a situation. The version of the schedule that occurs in the *Pārivāsikavastu* is preserved in Sanskrit and says:[36]

> When he knows that it is time and has arranged the seats, the censer[37] and incense must be set out. If he is able (*pratibala*) to perform the Proclamation of the Qualities of the Teacher, he himself must perform it. If not, a reciter (*bhāṣaṇaka* = *'chad pa po*) must be asked!

All of the previous examples and provisions render at least the situation envisioned in our final example unsurprising. It too deals with a situation in which a monk is incapable of performing what might seem the simplest of recitative functions, but unlike the previous examples it allows, in fact requires, a nun to fulfill the function that the monk cannot. Like the Proclamation of the Qualities of the Teacher, it too concerns a ritual procedure that could have been extremely common in the life of the Community. It at least is referred to scores of times in *Vinaya* narrative accounts. Oddly enough, until very recently it has received little sustained attention.

When Buddhist monks were provided with a meal at a donor's house they were not, it seems, supposed to eat and run. Indeed, in a rich and recent study based on the Chinese translations of the Indian *Vinayas,* and indigenous commentaries, Koichi Shinohara has shown that in China the entire process of taking a meal was conceived of as a highly stylized and carefully orchestrated monastic ritual.[38] Much of what he says in regard to the Chinese sources holds for the Mūlasarvāstivādin sources preserved in Sanskrit and Tibetan, and they make it particularly clear that the final and in many ways most important moment in the ritual was what these sources describe as the "assigning of the reward": in Sanskrit this is expressed by the noun *dakṣiṇā* as the object of some form of the verbal root √*diś,* usually *ā*√*diś,* more rarely *ud*√*diś,* or the compound *daksinādeśanā;* in Tibetan these forms are usually translated by some form of *yon bshad pa, yon bsngo ba, sbyin pa bshad pa,* [120] or one or another closely related forms, with a noticeable lack of consistency.[39] What this was is uncharacteristically clear. Edgerton defines *dakṣiṇādeśanā,* for example, as "assignment (to someone other than the donor or performer) of the profit from gifts or works of merit,"[40] and a series of Indian commentarial glosses which he appears not to have known essentially confirm this. In his commentary on the *Vibhaṅga,* Vinītadeva, for example, says: *yon bshad pa zhes* *bya ba ni sbyin pa'i bras bu yongs su bsngo ba'o,* "'Assigning the reward' means: directing the fruit of the gift." Śīlapālita, in his commentary on the *Kṣudrakavastu*, first says: *yon bsngo ba ni chos kyi sbyin pa la sog pa las yang dag par byung ba'i bsod nams kyi bras bu kun tu bgo bsha' byed pa'o,* "'Assigning the reward' means: apportioning the fruit of the merit which arises from a religious gift, etc." Then later in commenting on the account of the founding of Pāṭaliputra in the *Mahāparinirvāṇa-Sutra*—in the Mūlasarvāstivādin tradition the *Mahāparinirvāṇa-sūtra* has not yet been extracted from its *Vinaya*, as it was in the Pāli tradition, and is still embedded in the *Kṣudrakavastu*—he glosses the expression twice. He says *yon shod cig ces bya ba ni sbyin pa'i 'bras bu yongs su bsngo ba'o,* "'Must assign the reward!' means: directing the fruit of the gift"; then: *yon gyi bshad pa zhes bya ba ni zas las byung ba'i bsod nams kyi 'bras bu lha rnams la yongs su bsngo par bya ba yin no /,* "'Assigning the reward' means: the fruit of the merit arising from the food is to be directed to the gods."[41] As in most of Shinohara's sources, in Mūlasarvāstivādin texts the "assignment" is effected narratively by the Buddha or a senior monk reciting a suitable verse; and in Mūlasarvāstivādin rule the recitation is ordinarily to be done by the Elder of the Community or *Saṅgha-sthavira*. Our final text indicates that a similar provision governed Communities of nuns, but also deals with the additional complication that could arise when both nuns and monks were at the same meal. The text here is from the *Uttaragrantha*:[42]

> The Buddha, the Blessed One, was staying in the Jetavana, in the Park of Anāthapiṇḍada, and there was a householder living in a border city.[43] When he [121] had invited many nuns to a meal, then a single monk who was traveling through the countryside with many other travelers arrived at that border city, and when he set out there for alms someone said to him: "Noble One, nuns have been invited to a meal in this house here—you should go there!"
>
> When he had gone there Sthūlanandā,[44] being the Elderess of the Female Community (*dge 'dun ma'i gnas brtan = saṅghasthavirī*) said: "Noble One, if you are capable (*nus na = śaknoti*) of reciting the assignment of the reward (*sbyin pa'i yon tan brjod = dakṣiṇādeśanā*)[45] you must sit at the seniors' end of the assembly! If you are not capable, take your meal to one side, then you must go!"
>
> He, having been embarrassed (*skyengs nas = lajjita*), thought to himself: "Since if I stay until the assignment of the reward my fellow-travelers will depart, eating my meal to one side, I will go." Having so thought, he ate his meal to one side and left.
>
> In due course he arrived at Śrāvastī and the monks there said: "Venerable, has it gone well? Have your travels gone well?"
>
> But he said: "How could it go well?—a nun has made a joke (*kyal ka = krīḍā*) of me."
>
> "How so?" they said.

> He told the monks in detail what had occurred. The monks reported it to the Blessed One, and the Blessed One said: "Where a single monk and a single nun are staying there that monk must enjoy (*zo sbig* = √*bhuj*) both the first seat, the first water, and the first food! (*gral kyang dang po / chu yang dang po / zan yang dang po* = *agrāsana, agrodaka, agrapiṇḍapāta*). Where there are two nuns or three or more than that, and if a single monk arrives, that single monk must enjoy both the first seat, the first water, and the first food! Even when there are only nuns one seat must always be set aside as the first seat and be placed there! Even if a male novice (*dge tshul pha*= *śrāmaṇera*) arrives he must sit there and eat! If too he is incapable (*de ste des mi nus par gyur na yang*) a nun must recite the assignment of the reward! If a nun does not do so she comes to be guilty of an offense.

The language of this text is—as it is throughout the various sections now found in the *Uttaragrantha*—not always as clear as one might want, and it has a number of [122] atypical translations or nonstandard usages, but the underlying Sanskrit vocabulary can usually be glimpsed, and its general purport seems clear enough even if on some important points a certain amount of ambiguity remains. It appears first of all to be clarifying an old rule or applying it to a "new" situation. It could be working off what is in the Mūlasarvāstivādin tradition the eighth of the notorious *gurudharmas* or heavy rules which nuns alone are subject to, which requires that a nun, even if she has been ordained for a hundred years, must show deference to a monk even if he has been ordained only one day.[46] But key elements of the vocabulary—the repeated reference to the first seat, water, and food—suggest rather that it is alluding to and building on what is now the opening section of the *Śayanāsanavastu.* That *Vastu* begins with the assembled monks discussing the issue of determining status and preference among themselves, and the issue is framed in part by their asking, "Who among us is entitled to use the first seat, the first water, the first alms food?" (*ko 'smākam arhati agrāsanam agrodakam agrapiṇḍapātaṃ paribhoktum iti*). This discussion too has a directive attributed to the Buddha that is similar to the eighth *gurudharma:* "All those who are ordained must show deference to one who was ordained earlier, except in the case of a nun: she—even if ordained for a hundred years—must show deference to a monk who has just been ordained that day!" (*sarveṣām upasaṃpannānāṃ pūrvopasaṃpannā vandyāḥ sthāpayitvā bhikṣuṇīṃ tasyā varṣaśatopasaṃpannāyā api tadahaḥ* (rd: *tad ahar*) *upasaṃpanno bhikṣur vandyaḥ*).[47] What is not specifically stated, however, in either the *gurudharma* or the *Śayanāsanavastu* is how this general principle should play out in a situation in which, for example, a single monk finds himself at a meal which had been offered to a group of nuns, and that, of course, is precisely the "problem" that our *Uttaragrantha* text appears to address.[48] Its "solution"—showing how the deference of nuns to monks is in such a case to be expressed—is not a surprise, even though it goes further than either the *gurudharma* or the *Śayanāsanavastu* by requiring that the deference be shown even to an unordained male, a novice or *śrāmaṇera*. Although this may seem to be a significant extension, it is important to note that the deference that was supposed to be shown even to a monk was purely ritual and had no effect on other important rights of nuns: a male may get the first of what is received, but the nuns receive an equal share. In the *Uttaragrantha* this has already been established in a little text that occurs more than a dozen folios before our text. That little text is built on the same narrative armature and is short enough to be cited here:[49]

> The Buddha, the Blessed One, was staying in the Jetavana of Śrāvastī, in the Park of Anāthapiṇḍada.
>
> [123] When sixty monks were wandering through the countryside and arrived at a border city there was a devout householder who lived there. When he had invited the monks to his house for a meal he thought: "I will give to each of the monks a piece of cloth."
>
> The monks began to eat and sixty nuns who were also wandering through the countryside also arrived at that border city. They began to beg for alms. Someone there said to them: "Since the monks are eating a meal in the house of that householder, you should go there!"
>
> They, going there, also ate and then that householder put down sixty pieces of cloth in front of the seniors' end of the assembly.
>
> When the monks did not know how to divide them the monks reported to the Blessed One what had occurred, and the Blessed One said: "Since they were obtained by both Communities they must be divided among both Communities!"

The ritual deference required of nuns is, then, just ritual. It does not entail here—and elsewhere—their economic disadvantage or any inequality in property rights.[50]

Ritual deference, however, is not the only issue the first of our *Uttaragrantha* texts deals with. It also addresses—like all the texts cited here—the issue of the incompetence or ignorance of monks in yet another common situation, although it is here more ambiguous. Narratively the nun Sthūlanandā first of all does not axiomatically assume that the arriving monk would be capable, because he was a monk, of performing the assignment of the reward. Indeed, her question to him would seem to imply an assumption that all monks were not able to do so. But whether this textual monk was able to or not remains ambiguous. He is embarrassed or ashamed, but at the same time the text leaves the impression that he did not take a seat at the seniors' end not because he was incapable of performing the assignment, but because he did not want to be left behind by the group he was traveling with. When our monk complains that Sthūlanandā made a joke of him it is then not clear how she did this: by making his incompetence publicly visible or by misrepresenting his intentions. And while it is clear that the text ends with the issue of male incompetence, there is a further ambiguity here as well, one that is common in these texts: the referent of the pronoun "he" (*des*) in the Buddha's penultimate statement is not certain: it could refer to the immediately preceding novice, or it could refer to any male member of the Community who arrives at a meal for nuns, even a novice. To decide with certainty which on the basis of the text alone is probably not possible, but the Mūlasarvāstivādin scholastic tradition would seem to strongly and consistently favor the second alternative. We might start with Guṇaprabha's *Vinayasūtra.*

Guṇaprabha does not seem to have sensed any ambiguity in the penultimate statement of the Buddha in the *Uttaragrantha*—at least there is no trace of such in either his *Vinayasūtra* or his auto-commentary on it. His *sūtra,* which appears to be [124] digesting the *Uttaragrantha* statement, does not even mention a novice. It reads in Sanskrit:

> *karaṇaṃ sabhikṣutāyām aśaktau teṣām bhikṣunyā dakṣiṇādeśanasya* [/]
>
> In a shared situation with monks, when they have no competence, the performance of the assigning of the reward is (to be done) by a nun.

The *sūtra* is translated into Tibetan as:

> *dge slong dang bcas pa nyid na de dag gis mi nus na dge slong mas yon bshad par bya'o* /[51]

In his auto-commentary, moreover, he leaves no doubt who the "they" were who might be incompetent and appears to signal one of the "shared situations."[52]

> *dge slong dang bcas pa nyid na zhes bya ba ni mchod rten la yon bshad par bya'o zhes smos par rig par bya'o / de dag gis zhes bya ba ni dge slong rnams kyis so /*
>
> In regard to the words "in a shared situation with monks," they are to be understood to be saying "at the *stūpa* the assigning of the reward is to be done (by a nun etc.)" In regard to the word "they," this means monks.

In light of both Dharmamitra's *Ṭīkā* and Prajñākara's *Vyākhyāna* on the *Vinayasūtra* one might be inclined to suspect that the auto-commentary's *mchod rten, "stūpa,"* is an error for *mchod ston, maha,* "festival," but the reading in the Derge printing of the auto-commentary is clear, and the Peking version—the only other one I have access to—has the same reading. The *Ṭīkā* and *Vyākhyāna,* however, are also worth citing here because they introduce small but interesting differences in wording, and because they too make it clear in different ways that the "they" are monks, and monks alone. The first says:[53]

> *dge slong dang bcas pa nyid na de dag gis mi nus na dge slong mas yon bshad par bya'o zhes bya ba ni / mchod ston la sogs pa dag la dge slong dang bcas pa nyid yin la / dge slong de dag gis yon bshad par byed mi nus na dge slong mas yon bshad par byar rung ba'o /*
>
> The words "In a shared situation with monks, when they have no competence, the assigning of the reward is to be done by a nun" mean: at festivals, and so forth, when it is a shared situation with monks, if the monks are not competent to perform the assigning of the reward it is proper for a nun to perform the assigning of the reward.

[125] Here the one shared situation that is explicitly mentioned is a festival, *maha*, but it is also only one of an implied wider range of possible situations—*la sogs pa* = *ādi* indicating an unspecified number of others—and the monks who are incompetent are plural. The *Vyākhyāna* of Prajñākara is similar, but uses a different translation for the assignment (*shyin pa bshad par bya*), refers only to the occasion of a festival (*mchod ston gyi tshe*), and makes the nun's performance imperative (*gyis shig*).[54] The *Vṛtti* on the *Vinayasūtra*, also attributed to Guṇaprabha, is different yet again:[55]

> *gtsug lag khang du yon bdag gis dge slong ba dang dge slong ma bshos gsol ba'i 'og tu tshigs bcad dge slong phas klog mi nus na dge slong ma mkhas pas kyang rung /*
>
> After a donor (*dānapati*) has provided a meal in the *vihāra* to monks and nuns, if a monk is not competent to read (*klog* = *paṭhati, vācayati*) the verse, it is proper for a learned (*mkhas pa* = *paṇḍita*) nun to do it.

The *Vṛtti* returns to the occasion of a meal, although it is simply a joint meal without any mention of a numerical preponderance of nuns, and it takes place in a monastery. It is also the only source that adds a qualification to the nun who might perform the assignment: she is said to be "learned." But like all the sources connected with the *Vinayasūtra*, it makes no mention of a novice, and here too it is the global category "monks" who might prove incompetent.

The *Vinayasūtra* and the commentarial texts which cluster around it are not, however, the only scholastic texts that treat the *Uttaragrantha* passage. It is also digested in Viśākhadeva's *Vinayakārikā*, and it might serve as a final example.[56]

> *gcig pu mgron du bos pa la*
> *dge slong ma rnams 'khod pa na*
> *gang du dge slong zas kyi phyir*
> *'dug pa'i stan ni dang por bzhag //*
> *dge tshul gyis ni gral yang rung*
> *de ru 'dug ste zos nas ni*

> *gal te dge slong nus med na*
> *dge slong ma yis yon bshad bya* //
>
> When there is a single one (i.e., monk) at an invited meal, and the nuns are seated, a seat for sitting must first be arranged so that a monk can eat on it.
>
> The mat is proper even for a novice. When sitting on it, if, after eating, the monk is incompetent, the assignment of the reward must be performed by a nun!

Being wedged into lines of seven syllables the text here is a little crabbed, but once again the general sense seems clear enough, and although the *Kārikā* contains [126] explicit reference to a novice, the rule itself refers to the incompetence or inability of a monk to perform the assignment at an invited meal. Like the canonical text, the *Kārikā* speaks only of such meals, and there is little else new here.

But lest the welter of details obscure it, it is worth noting an otherwise obvious and striking difference between our last canonical example dealing with the assignment of the reward and the texts dealing with the painting of the wheel of rebirth, the appointment of the Admonisher-of-Nuns, the recitation of the *Prātimokṣa-sūtra,* teaching *Dharma* to a donor of a meal, and the Proclamation of the Qualities of the Teacher. All of these could have been common and repeated occurrences: one would have been daily, two bimonthly. Two again would have been private (appointing the Admonisher, reciting the *Prātimokṣa*), one would have involved interaction with the laity but would have taken place at the monastery (the painting), and two would have been overwhelmingly public (teaching *Dharma* to a donor and assigning the reward). The last of these—which is our last example as well—is set by our sources in several different locations or events: in the *Uttaragrantha* it occurs in a layman's home; in the *Vinaya-Sūtra* in a shared or mixed situation of monks and nuns, none of which were supposed to occur in private; in the various commentaries on the *Vinaya-Sūtra* "at the *stūpa*" (i.e., outside), at festivals (i.e., public events), and once at an invited meal in a *vihāra* sponsored by a donor who presumably was present. But it is on one of the two most public of occurrences, and on this one alone that our texts not only allow but *require* that an incompetent monk be replaced by a nun. If nothing else, this stipulation points to the absolutely critical, obligatory character of the assignment of the reward: unlike even the bimonthly recitation of the *Prātimokṣa,* it cannot not be done. While it is true, or at least seems to be narratively so in the *Uttaragrantha,* that if there is a competent monk even at an invited meal for nuns he would be expected to perform the assignment, this in fact is never actually stated, nor is it said in the *Uttaragrantha* passage—or anywhere else that I know of—that any nun was incapable of performing it. This might be related to, or further reflect, the refined or elevated (learned?) speech habits of nuns which seem to be implied in the requirement that a monk who was to admonish nuns be "possessed of urbane speech," and may provide another piece to the picture of a very different Buddhist nun than the one we are used to. But however this turns out the fact remains that our last text is striking. It not only allows, but requires that a nun, in the presence of a monk and in a very public sphere, act at the head of the mixed assembled group, and fulfill the primary ritual role. This procedure would have made the stature of the nun publicly visible. But it would have made the incompetence of the monk or monks who were present equally, and just as publicly, visible. And yet it was required, and the nun who did not do so was guilty of an offense. This surely is remarkable.

We might end here with some even broader considerations, and by asking how it is that modern scholarly assumptions—most often, perhaps, unspoken—about the level of learning and textual knowledge of Buddhist monks can differ so much from those that seem to have been held by the redactors of a good deal of Buddhist monastic literature. This, of course, is a complex issue and only a few of the many factors that are probably involved can be touched upon.

Those scholars—and they are many—who assume that mainstream canonical *Sūtra* and *Vinaya* literature is old and has been transmitted over a long period of [127] time rarely, if ever, acknowledge the fact that there is very little evidence in the various *Vinayas* that would support the notion that the Buddhist tradition had developed, or had in place, a sufficiently sophisticated system that would allow them to transmit anything like the enormous bulk of canonical literature that we know. There is a stunning contrast between what is seen in brahmanical sources where elaborate procedures and mechanisms were put in place to ensure the transmission of what in comparison is a very small textual corpus. Indeed, in the brahmanical case an entire culture was organized around this goal, and every brahmin male was expected to undergo a more or less intense period of training in this limited textual corpus. By contrast Buddhist sources give little or no indication that there was anything like a prolonged period of "studentship" during which its textual corpus could be acquired.[57] What little these sources say about transmitting a textual corpus from generation to generation is oddly casual and certainly unsystematic, and the recitation (i.e. learning) of texts is not even required, or only one option for a Buddhist monk.[58] And by way of another contrast, there is nothing in the *Vinayas* to suggest anything even vaguely like the elaborate system of monastic education found at least in late Tibet, and even here only a small number of monks fully pursued it, and it remained optional, the vast majority remaining textually barely educated.[59] So, while the topic of textual training and learning in the various *Vinayas* has been too long ignored and needs careful study, one of the reasons why the redactors of *Vinaya* literature made so many rules to deal with situations in which monks were deficient or incompetent in doctrinal or textual learning may well have been that—unlike many modern scholars—they were fully aware that their Communities lacked established, systematic mechanisms and procedures that would ensure even a moderate level of textual learning on the part of ordinary monks. But a second possible reason might also be entertained.

Even if—contrary to all indications—Buddhist monastic Communities in early India had a moderately rigorous procedure for educating their monks doctrinally and textually, that procedure may not have worked very well for a considerable number of entrants: they may have been too old to gain much from it. It is of course true that virtually nothing is known about the age of men who entered actual Buddhist monasteries in India. All we really have are stories. But, although again they have yet to be systematically surveyed, in a significant number of stories about men becoming monks—at least in the *Mūlasarvāstivāda-vinaya*—the men involved were not young. Here a few examples must suffice.

Very often accounts of men who become Buddhist monks start there with what amounts to a narrative trope: "When the householder had lost his relatives, his wealth and property, he thought to himself: 'Now since I am old I am unable to get rich. Since I also have no property, and my relatives are dead as well, I should go and enter the Order . . .'" (*dus gzhan zhig na de nye du rnams kyang zad par gyur / nor yang zad / longs* [128] *spyod kyang zad nas / des bsams pa / da ni bdag rgas pas nor bsgrub par bya yang mi nus / bdag la longs spyod dag kyang med / bdag gi nye du rnams kyang dus las 'das bas / song la rab tu 'byung ngo snyam du rigs nas . . .*),[60] and he does so. This trope is found widely in the *Mūlasarvāstivāda-vinaya*—in its *Kṣudrakavastu, Pravrajyāvastu, Vibhaṅga,* etc.[61]—and there are numerous other accounts that sketch something similar. In the *Vibhaṅga* a grown man from a brahmin family who is very stupid (*cūḍaḥ paramacūḍo dhanvaḥ paramadhanvaḥ*) and cannot make a living after his father's death is encouraged to become a Buddhist monk by his brother, and does so; in the *Bhaiṣajyavastu* a barber and his grown son become monks; in the *Kṣudrakavastu* tradesmen or artisans (*bzo bo* = *śilpin*) with grown sons and daughters do so; in the *Cīvaravastu* an old householder who had acquired an enormous fortune seeks to enter the Order; in the *Pāṇḍulohitakavastu* a mature man who had run, after his father's death, a successful business to support his mother enters the Order only after her death.[62] All these men are not young people, but mature men of considerable years and domestic experience, with, in the main, probably limited formal education, and yet this is only a very small sampling of what is found in this *Vinaya.* In the first examples cited here the men in question are very old, at or even beyond the end of their productive years, and one cannot help but be reminded of the classical description of the men who become renouncers in the *āśrama* system: these men become Buddhist monks when they are unable or too old to do anything else. And here these stories intersect with another commonplace in this *Vinaya,* one that has parallels in other *Vinayas:* the ignorance or foolishness of old monks, commonly called *mahallakas.* In a study based in large part on *Vinaya* literature preserved in Chinese, Durt has noted that the "late vocation" was "little appreciated in Indian Buddhism," that the term *mahalla* may well have had the sense of "senile," that old monks were characterized by "stupidity" or "la bétise congénitale," and that many stories concerning old monks in the *Vinaya* "have a burlesque character."[63] Von Hinüber has found similar characterizations in the Pāli *Vinaya,* noting that "the image of old monks is rather negative in Theravāda Buddhism," and that "Learning texts by heart, particularly if voluminous, was indeed a problem in particular for those Buddhist monks who entered the order only at an advanced age."[64] All of this and more is found as well in the *Mūlasarvāstivāda-vinaya,* so commonly in fact that the *mahalla* as a silly, senile, and gullible old monk becomes something of a stock character in yet another narrative trope in which the Group-of-Six rather shamelessly manipulate or take advantage of [129] them—these tales too very often have "un aspect burlesque."[65] Any number of other examples might be cited, but perhaps the point is clear: old monks, or men who entered the Order in old age, were represented in a great deal of monastic literature as silly, if not senile, and in some of this literature they are also represented as both numerous and dangerous.[66] They certainly would have been seen as incompetent. But if, for example, the stories the redactors of the *Mūlasarvāstivāda-vinaya* told were anything like the realities that they lived with, then one more reason why they put in place so many rules related to the incompetence of their monks may well have been that many of those monks were old, and our redactors knew that—and now being one myself I can say it with some authority—it is hard to teach an old dog new tricks!

Notes

1. We now have not one, but two excellent studies of such paintings and the texts dealing with them: S. F. Teiser, *Reinventing the Wheel. Paintings of Rebirth in Medieval Buddhist Temples* (Seattle: 2006) and M. Zin and D. Schlingloff, *Saṃsāracakra. Das Rad der Wiedergeburten in der indischen Überlieferung* (Buddhismus-Studien 6) (Düsseldorf: 2007).

2. The canonical version of the account is preserved in Tibetan at *Bhikṣu-vibhaṅga,* Derge 'dul ba Ja 113b.3–122a.7; there is also a Sanskrit version of the text, which Peri long ago described as "un peu abrégée" (N. Peri "Hārītī la mère-de-démons," *BEFEO* 17 (1917) 1–102, see 47 n. 3), reproduced in the *Divyāvadāna* (Cowell & Neil) 298–314, and a Chinese version translated in Teiser, *Reinventing the Wheel,* 53–56. The Sanskrit version is cited here.

3. Tibetan: *de dag bye brag med par byis pa yang rung / rmongs ba yang rung / mi gsal ba yang rung / mi mkhas pa yang rung ba las bsko bar byed nas* . . . Derge, 'dul ba Ja 115a.6. The

Chinese version appears to soften this—Teiser, *Reinventing the Wheel,* 56 translates: "Then the *bhikṣus* made a poor choice: they appointed someone who lacked understanding . . ."

4. To judge by a text in the *Kṣudrakavastu,* Derge 'dul ba Da 178b.4, such an appointment was not always made or honored even in narrative time. Here when the nuns designated to declare the purity of the nuns go to the monastery they find on the porch only "an Ājīvika . . . sitting there pondering on the wheel of rebirth with its five parts," who they mistake for the monk who was supposed to give the admonition with, of course, some amusing results. There is also no reference to such a monk in a passage from the *Vibhaṅga* that refers to a young lady looking at the painting on the monastery's porch that is cited in G. Schopen, "The Buddhist "Monastery" and the Indian Garden. Aesthetics, Assimilations, and the Siting of Monastic Establishments," *JAOS* (2006) 126, 497 [= Ch. XI below]—note that in the translation given there "paintings" should probably be corrected both times to "painting."

5. See, for Mūlasarvāstivādin sources, *Prātimokṣa-sūtra* (Banerjee), 34, *Pātayantikas,* 21–23; *Bhikṣuvibhaṅga,* Derge 'dul ba Ja 50b.6–90b.5; *Kṣudrakavastu,* Derge 'dul ba Da 177a.4–179b.4. For Pāli sources *Pātimokha* (Pruitt & Norman), 52–53, *Pācittiyas,* 21–24; Pāli *Vinaya* iv 49–58.

6. *Bhikṣu-vibhaṅga,* Derge 'dul ba Ja 60a.4–6. Keeping in mind that Tibetan *bus pa* and *byis pa* are virtually interchangeable, notice that the characterization of the monks here in Tibetan is all but identical with that found in the Tibetan translation of the text dealing with monks who were assigned to explain the wheel, and it can therefore be assumed that the underlying Sanskrit here was exactly the same.

7. *Bhikṣu-vibhaṅga,* Derge 'dul ba Ja 60a.6; *Vinayasūtra* (Sankrityayana) 42.5.

8. On this category of monk, defined immediately below, see also Schopen, *HHBMC,* 92–196, esp. 140, I.9, and add for what seems to be the related Pāli *rattaññu:* K. R. Norman, *Collected Papers* (Oxford: 1992), Vol. 3, 165–166.

9. Pāli *Vinaya* iv 51 = Horner, *BD* ii 265–267.

10. Pāli *Vinaya* ii 264–265 = Horner, *BD* v 366.

11. *Vinayasūtra* (Sankrityayana) 42.5 = *Vinayasūtra,* Derge, bstan 'gyur, 'dul ba Wu 33a.7.

12. *Uttaragrantha,* Derge 'dul ba Pa 33b.6. This passage in the *Uttaragrantha,* like its parallel in the *Vibhaṅga,* originally must have defined each of the five required characteristics. But in its present form there are only four definitions. That for the fourth had, almost certainly as the result of an eye-skip, either already dropped out of the Sanskrit text the Tibetan translators had, or, from the same cause, has dropped out of the Tibetan text in the course of transmission.

13. *Mahāvyutpatti,* R. Sakaki, *Mahāvyutpatti* (Kyoto: 1916) §2808. M. C. Goldstein, *The New Tibetan-English Dictionary of Modern Tibetan* (Berkeley: 2001) 685 defines modern Tibetan *pho brang skor gyi skad* as "the King's English, court language."

14. *Vinayasaṃgraha,* Derge, bstan 'gyur, 'dul ba Nu 209a.3; *Vinayakārikā,* Derge, bstan 'gyur, 'dul ba Shu 29b.5—see also *Vinayavibhaṅgapadavyākhyāna,* Derge, bstan 'gyur, 'dul ba Tshu 142b.1; *Prātimokṣasūtrapaddhati,* Derge, bstan 'gyur, 'dul ba Du 141a.1; *Prātimokṣasūtraṭīkāvinayasamuccaya,* Derge, bstan 'gyur, 'dul ba Phu 83b.7;

Prātimokṣasūtravṛtti, Derge, bstan 'gyur, 'dul ba Bu 91b.1; *Prātimokṣabhāṣyāsampramuṣitasmaraṇamātralekha,* Derge, bstan 'gyur, 'dul ba Mu 97a.3. That Mūlasarvāstivādin nuns would be expected to speak as city dwellers did would also be in harmony with this group's rule that its nunneries must be located in towns—see G. Schopen, "The Urban Buddhist Nun and a Protective Rite for Children in Early North India," in *Pāsādikadānam. Festschrift für Bhikkhu Pāsādika,* ed. M. Straube et al. (Marburg: 2009) 359–380 [= Ch. I above] and G. Schopen, "On Emptying Chamber Pots without Looking and the Urban Location of Buddhist Nunneries in Early India Again," *JA* 296 (2008) 229–256 [= Ch. II above].

15. Pāli requirements also refer to the monk's speech but rather more generically: *kalyāṇavāco hoti kalyāṇavākkaraṇo,* Pāli *Vinaya* iv 51 = "he comes to be of charming speech, of charming delivery," Horner, *BD* ii 266; cf. M. Cone, *A Dictionary of Pāli* Pt I (Oxford: 2001) 657: "of excellent speech, having a fine speaking voice."

16. See ns. 7, 11, 12 and 14 for references for all of these.

17. See now S. Clarke, "The Existence of the Supposedly Non-Existent *Śikṣādattā-śrāmaṇerī.* A New Perspective on *Pārājika* Penance," *Bukkyō Kenkyū* 29 (2000) 149–176, and S. Clarke, "Monks Who Have Sex: Pārājika Penance in Indian Buddhist Monasticisms," *JIP* 37 (2009) 1–43, esp. 27.

18. *Vinayasaṃgraha,* Derge, bstan 'gyur, 'dul ba Nu 209a.3; *Prātimokṣabhāṣyāsampramuṣitasmaraṇamātralekha,* Derge, bstan 'gyur, 'dul ba Mu 97a.3. Given the ongoing discussion of the relationship of the Mūlasarvāstivāda and the Sarvāstivāda, it is perhaps worth noting that the remark in A. C. Banerjee, *Sarvāstivāda Literature* (Calcutta: 1957) 40–41 in regard to the first of these is incorrect—at least in the Derge printing the concluding title is *'phags pa gzhi thams cad yod par smra ba'i 'dul ba bsdus pa* (Nu 268a.2), that is to say *Ārya-Mūlasarvāstivāda-vinayasaṃgraha,* not *Sarvāstivāda-vinayasaṃgraha.*

19. *Prātimokṣasūtravṛtti,* Derge, bstan 'gyur, 'dul ba Bu 191b.1; *Vinayasūtra* (Sankrityayana) 42.5.

20. *Ekottarakarmaśataka,* Derge, bstan 'gyur, 'dul ba Wu 160a.4.

21. See, for one example, O. von Hinüber, "Old Age and Old Monks in Pāli Buddhism," in *Aging. Asian Concepts and Experiences Past and Present* (Österreichische Akademie der Wissenschaften.Philosophisch-Historische Klasse. Sitzungsberichte 643), ed. S. Formanek and S. Linhart (Vienna: 1997) 72: "Although the minimum knowledge expected from every monk is much more than the *Pātimokkhasutta,* . . ."

22. *Kṣudrakavastu,* Derge 'dul ba Tha 201b.2–202b.5—see also Pāli *Vinaya* i 115–117; 119 = Horner, *BD* iv 152–153, 156–157; in the first of these the Elder (*thera*) who is supposed to recite the *Pātimokkha* is not competent to do so and is described as *bālo hoti avyatto,* "stupid and ignorant"; then a whole series of monks—in two cases the entire Community—who are equally unable to do so are described in the same way. These passages would seem to suggest that the redactors of the Pāli *Vinaya* had many of the same (realistic?) assumptions about the textual learning of their monks that their Mūlasarvāstivādin colleagues had about theirs, perhaps—as we will see below—for some of the same reasons.

23. On the rank, office, and status—it appears to be all three—see n. 27 below.

24. *dvitīya-sthavira,* and *tṛtīya-sthavira* just below, do not appear to mean "*a* second elder" or "*a* third elder," but "*the* Second Elder" and "*the* Third Elder." They, in other words, appear to be formal designations of rank, office, or status, titles in the administrative system meant to order Mūlasarvāstivādin Communities. Although—like all Mūlasarvāstivādin administrative titles—they have not yet been properly studied, they occur in a number of places; see for some examples: *Śayanāsanavastu* (Gnoli), 39; *Varṣāvastu, GMs* iii 4, 133–134; *Kṣudrakavastu,* Derge 'dul ba Da 191b.3; *Vinayasūtra* (Sankrityayana) 77.10, which is digesting the *Kṣudrakavastu* passage being translated here. The first of these would seem to indicate that the Second and Third Elders could get decreasingly smaller shares of the donations that came in. There may be a reflection of this tripartite system at Pāli *Vinaya* i 116, but Horner, *BD* iv 153 does not see it so—she translates *dutiyatheraṃ ajjhesiṃsu . . . tatiyatheraṃ ajjhesiṃsu . . .* as "they called upon a second elder . . . they called upon a third elder . . ."; and to judge on the basis of the *Abhisamācārika* alone some form of this "system"—perhaps limited to the *saṅghasthavira* and the *dvitīya-sthavira*—was also in place in the Mahāsāṅghika *Vinaya:* see S. Singh and K. Minowa, "A Critical Edition and Translation of Abhisamācārikā Nāma Bhikṣu-Prakīrṇakaḥ," *Buddhist Studies* 12 (1988) 81–146, 81.5ff., 84.3ff., 86.15ff., etc., and here too one or another, or both, can be incompetent (*na pratibalo bhavati*).

25. *gal te gnas brtan gsum pas kyang ma nus na dge slong rnams kyis res su bklags te kha ton gdon par bya'o /.*

26. *Vinayasūtra* (Sankrityayana) 77.10 = Derge, bstan 'gyur, 'dul ba Wu 60b.7; *Vinayasūtravṛttyabhidhānasvavyākhyāna,* Derge, bstan 'gyur, 'dul ba Zu 92a.5; *Vinayasūtraṭīkā,* Derge, bstan 'gyur, 'dul ba Yu 127a.7; *Vinayasūtravyākhyāna,* Derge, bstan 'gyur, 'dul ba Ru 181a.1; *Vinayasūtravṛtti,* Derge, bstan 'gyur, 'dul ba Lu 226b.3; *Ekottarakarmaśataka,* Derge, bstan 'gyur, 'dul ba Wu 211a.6; *Vinayasaṃgraha,* Derge, bstan 'gyur, 'dul ba Nu 97a.5.

27. von Hinüber, "Old Age and Old Monks in Pāli Buddhism," 71, says that "the highest rank a monk can reach is *saṃghathera,* 'Elder of the Order,' " but this "rank," office, or status—again it appears to be all three—has not yet been systematically studied even in the Pāli *Vinaya,* and very recent work on Buddhist monastic organization and administration involving the Mūlasarvāstivādin tradition is so unreliable, and has been so haphazardly done, that the *saṃghasthavira* is scarcely even mentioned. Given this, a sampling of passages from the Mūlasarvāstivādin *Vinaya* referring to this office might be useful: *Vibhaṅga,* Derge 'dul ba Ca 154a.6 (he "assigns the reward" for a donor's gift—see below); Ca 155b.7 (a novice is confused for a *saṃghasthavira* because he has a great deal of personal property); Ca 156a.6 (he recites the *Prātimokṣa*); Ca 157a.6 (he must make sure that the door of the *vihāra* is locked at night and that the *upadhivāraka*—another office still not well understood, but here under the supervision of the *saṃghasthavira*—has done his tasks); Cha 155b.2 (his name and that of the *upadhivāraka* must be recorded in a contract for a loan made by the Community—here, and, it appears, wherever the two are mentioned together, the *saṃghasthavira* always comes first); Nya 201a.2 (= *Divyāvadāna* [Cowell & Neil] 543.14—he, followed by the *upadhivāraka,* is one whose commands are inviolable: *ājñā akopyā*); *Varṣāvastu, GMs* iii 4, 133.12—the edition here is not good (he must be presented

with the keys to the *vihāra* and must ritually accept it, its donations and its robes funds, at the beginning of the rain retreat); *Pravrajyāvastu*, GMs iii 4, 70–71 (he is an *arhat* who can see the state of rebirth of the deceased); *Śayanāsanavastu* (Gnoli), 37 (he recites the verses for the dead donors of the *vihāra*); *Kṣudrakavastu*, Derge 'dul ba Tha 72a.5 (enforces local ordinances and assigns sponsors to incoming monks); Tha 206a.4 (gives the "blessing" to the donor of cloth to the Community); Tha 257b.7 (must inform the donor of a meal how the food is to be distributed depending on the number of monks and amount of food made available); *Uttaragrantha*, Derge 'dul ba Pa 71b.4 (must keep track of the monastery's calendar and the dates); Pa 177b.3 (must determine or set the price of items to be sold in monastic auctions). (For some of these, see also *Vinayasūtra* [Sankrityayana] 33.13, 59.10, 73.17, 77.10, 78.13, 88.14, 89.12, 91.3.) These passages, again, represent only a sampling, but they would already seem to indicate that the *saṃghasthavira* was certainly an important figure—perhaps even the most important—in Mūlasarvāstivādin monasticism. Given their wide distribution it is very hard to imagine how any study of administrative roles in Indian Buddhist monasticism could have overlooked this figure's significance.

28. *Kṣudrakavastu*, Derge 'dul ba Tha 100a.3–102a.5.

29. *Pravrajyāvastu* (Eimer) ii 164.5, translated in G. Schopen, "Making Men into Monks," in *Buddhist Scriptures*, ed. Donald Lopez Jr. (London: 2004) 230–251, 250 [= Ch. IX below].

30. *Kṣudrakavastu*, Derge 'dul ba Da 191a.4–b.4.

31. *rdzas kyis bsgrubs pa na.* The Sanskrit here (see next n.) would have been *aupadhika* (*'sthāt*), and the expression in both languages is open to more than one interpretation. The definition of *aupadhika* in *BHSD* may need some adjustment, and in this context the Buddhist usage may be related to Classical Sanskrit *aupadhika* in the sense of "deceptive," but with a positive connotation, like *upāya.* If not, it could be translated "in regard to the material gift he . . ."

32. This is both an abbreviated trope or stenciled passage and an editorial insertion to explain why the Buddha himself did not go to the meal. The full form of the trope is found in Sanskrit at, for example, *Cīvaravastu*, GMs iii 2, 128.3, and the other four reasons are because he wants to (1) enter seclusion, (2) teach *Dharma* to the gods, (3) inspect the bedding and seats, and (4) look after the sick. On editorial insertions and their use see Schopen, *HHBMC*, 157–158.

33. It may, however, be too easy and mistaken to underestimate the textual or doctrinal learning of laymen and their role in the transmission of texts; see G. Schopen, "On the Absence of Urtexts and Otiose Ācāryas: Buildings, Books, and Lay Buddhist Ritual at Gilgit," in *Écrire et transmettre en Inde classique*, ed. G. Colas and G. Gerschheimer (Paris: 2009) 189–219, 195–206, and G. Schopen, "The Book as a Sacred Object in Private Homes in Early or Medieval India," in *Medieval and Early Modern Devotional Objects in Global Perspective. Translations of the Sacred*, ed. E. Robertson and J. Jahner (New York: 2010) 37–60.

34. For both schedules—one from the *Pārivāsikavastu*, the other from the *Kṣudrakavastu*—see Schopen, *BMBM*, 260–284.

35. For the *Tridaṇḍaka*—uncharacteristically badly defined in *BHSD*—see the old note in Schopen, *BSBM*, 231–233 n. 62, which can, and should be, very much improved;

for the moment see at least Śīlapālita's *Āgamakṣudrakavyākhyāna,* Derge, bstan 'gyur, 'dul ba Dzu 25b.1 and 73a.5. The text in which the Buddha orders "Thus, the Proclamation of the Qualities of the Teacher and the recitation of the *Tridaṇḍaka* must be recited with measured intonation!" (*'di ltar ston pa'i yon tan yang dag par bsgrag pa dang / rgyud chags gsum pa gdon pa dag ni skad gyi gtang rag gis gdon par bya'o /*) occurs at *Kṣudrakavastu,* Derge 'dul ba Tha 45b.6–46b.5 See also *Vinayasūtra* (Sankrityayana) 55.10: *kuryāt śāstṛguṇasaṃkīrttane tridaṇḍakadāne ca svaraguptim,* and S. Lévi, "Sur la récitation primitive des textes bouddhiques," *JA* (1915) 401–447, 431ff.

36. *Pārivāsikavastu, GMs* iii 3, 97.16.

37. For a recently published example of an inscribed censer, see H. Falk, "Three Inscribed Buddhist Monastic Utensils from Gandhāra," *Zeitschrift der Deutschen Morgenländischen Gesellschaft,* 156.2 (2006) 393–412, 402–406; for a well-preserved painting of a monk holding one, see B. K. Behl, *The Ajanta Caves. Artistic Wonder of Ancient Buddhist India* (London: 1998) 24–25. Portable censers are not infrequently mentioned in the *Mūlasarvāstivāda-vinaya*—see Schopen, *BMBM,* 276 n. 7, and *Vibhaṅga,* Derge Cha 'dul ba 190a.3, 191a.5, Nya 38a.1 for a few more examples—and although Falk seems to want to associate their use with the *gandhakuṭī,* there is no evidence in these texts to support him. In these texts they are used—as here—at the daily communal assembly that did not take place in the *gandhakuṭī,* in leading visitors around the monastery, and commonly in the worship of the *stūpa*—Falk's censer in fact was donated at or to a *stūpa.*

38. K. Shinohara, "Taking a Meal at a Lay Supporter's Residence. The Evolution of the Practice in Chinese Vinaya Commentaries," in *Buddhist Monasticism in East Asia. Places of Practice,* ed. J. A. Benn et al. (New York: 2010) 18–42.

39. See, for discussion and examples, Schopen, *BSBM,* 229 n. 43; 231 n. 61; Schopen, *BMBM,* index, and G. Schopen, "On Buddhist Monks and Dreadful Deities. Some Monastic Devices for Updating the Dharma," in *Gedenkschrift J.W. de Jong,* ed. H. W. Bodewitz and M. Hara (Tokyo: 2004) 168, 174 [= Ch. XV below].

40. *BHSD,* 260.

41. *Vinayavibhaṅgapadavyākhyāna,* Derge, bstan 'gyur, 'dul ba Tshu 64b.5; *Āgamakṣudrakavyākhyāna,* Derge, bstan 'gyur, 'dul ba Dzu 73a.5, 190b.7, 191a.2.

42. *Uttaragrantha,* Derge 'dul ba Pa 179a.3–b.4. For many of the Sanskrit equivalents inserted in what follows, see *Vinayasūtra* (Sankrityayana) 91.1, which is cited in full below.

43. *ri brags kyi grong;* this is one of at least three slightly different Tibetan translations of what in Buddhist sources in Sanskrit usually appears as *karvaṭaka*—*ri brag(s)* and *ri 'or* also are used. There are good reasons for thinking that neither of the meanings listed in *BHSD* for *karvaṭaka* is satisfactory. The second—"a high mountain hamlet"—is entirely based on a Tibetan translation that may not be accurate: usage suggests that the Sanskrit term does not refer so much to mountains but to distance from political control. Edgerton's first meaning—"a (mean, poor) village"—seems to work even less well since our *Vinaya* repeatedly refers to *karvaṭaka* as the home of extremely rich donors and the location of large, beautiful, well-endowed and wealthy monasteries—for just a few of many examples, see *Cīvaravastu, GMs* iii 2, 98.9, 105.15, 107.11, 108.16; *Vibhaṅga,* Derge 'dul ba Ca 153b.1, Cha 184a.1; *Kṣudrakavastu,* Derge 'dul ba Tha 230a.2; *Uttaragrantha,* Derge 'dul ba Pa

166a.3. In non-Buddhist sources too the *karvaṭaka* is no "mean village": in the *Kāmasūtra* 1.4.2 (D. Śāstrī, *The Kāmasūtram of Śrī Vātsyāyana Muni* [Kashi Sanskrit Series 29] [Varanasi: 1964]) for example, it is one of the three types of urban settlements in which wealthy and cultured *nāgarakas* or "men-about-town" live. Clearly, the term needs further study.

44. Schūlanandā is a strongly drawn nun in the *Mūlasarvāstivāda-vinaya* who is learned, troublemaking, and perhaps the most prominent member of the "Group-of-Twelve-Nuns," the female equivalent in every way to the Group-of-Six-Monks—for the latter see, for example, G. Schopen, "The Learned Monk as a Comic Figure. On Reading a Buddhist Vinaya as Indian Literature," *JIP* 35 (2007) 201–226 [= Ch. XVIII below]. For some typical stories involving Sthūlanandā—her name means "Fat or Gross Nandā"—see Schopen, *BMBM*, 341–342, Schopen, "On Emptying Chamber Pots without Looking," 229–256 [= Ch. II above], Schopen, "On the Legal and Economic Activities of Buddhist Nuns: Two Examples from Early India" [= Ch. V below], and finally Schopen, "The Buddhist Nun as an Urban Landlord and a 'Legal Person' in Early India," in *Devadattīyam. Johannes Bronkhorst Felicitation Volume*, ed. F. Voegeli et al. (Bern: 2012) 595–609 [= Ch. VI below].

45. The Tibetan here appears to represent yet another variant translation of *dakṣiṇādeśanā*, but that that was the Sanskrit here appears to be confirmed by the *Vinayasūtra* cited below.

46. *Kṣudrakavastu*, Derge 'dul ba Da 103a.5–104a.7.

47. *Śayanāsanavastu* (Gnoli), 3–5.

48. Sitting arrangements for meals attended by both nuns and monks elsewhere are not entirely clear. In a very short text at *Kṣudrakavastu*, Derge 'dul ba Da 177a.1–.4 it sounds as if only "two or three" nuns sat in accordance with seniority—i.e., senior nuns at the seniors' end of the assembly etc.—and the rest of the nuns were to sit apart as a group. But at *Vibhaṅga*, Derge 'dul ba Nya 228b.5ff. Sthūlanandā sits at the seniors' end of a mixed assembly and officiously takes charge of the distribution of the food, ordering the donor around.

49. *Uttaragrantha*, Derge 'dul ba Pa 166a.3–.7.

50. To the same point see G. Schopen, "Separate but Equal. Property Rights and the Legal Independence of Buddhist Nuns and Monks in Early North India," *JAOS* 128.4 (2008) 625–640 [= Ch. IV below], and Schopen, "On the Legal and Economic Activities of Buddhist Nuns" [= Ch. V below.]

51. *Vinayasūtra* (Sankrityayana) 91.1 = Derge, bstan 'gyur, 'dul ba Wu 74a.2.

52. *Vinayasūtravṛttyabhidhānasvavyākhyāna*, Derge, bstan 'gyur, 'dul ba Zu147b.3.

53. *Vinayasūtraṭīkā*, Derge, bstan 'gyur, 'dul ba Yu 206a.5.

54. *Vinayasūtravyākhyāna*, Derge, bstan 'gyur, 'dul ba Ru 208b.7.

55. *Vinayasūtravṛtti*, Derge, bstan 'gyur, 'dul ba Lu 266a.7.

56. *Vinayakārikā*, Derge, bstan 'gyur, 'dul ba Shu 54a.4.

57. While it is true, for example, that Buddhist monks had to enter into and remain in a state of dependence (*niśraya*) on an *ācārya* or *upādhyāya*, usually for a period of at least five years after their ordination, this relationship was not defined primarily in terms of teaching, but in terms of service and caregiving, at least in the *Mūlasarvāstivāda-vinaya*—see Schopen, *BMBM*, 8–9.

58. See, for example, *Kṣudrakavastu,* Derge 'dul ba Tha 213b.3–214a.7, and Schopen, *FFMBI,* 68–75.

59. S. Onoda, *Monastic Debate in Tibet. A Study of the History and Structures of Bsdus Grwa Logic* (Wiener Studien zur Tibetologie und Buddhismuskunde 27) (Vienna: 1992) and G. B. J. Dreyfus, *The Sound of Two Hands Clapping. The Education of a Tibetan Buddhist Monk* (Berkeley: 2003).

60. *Kṣudrakavastu,* Derge 'dul ba Tha 100a.4.

61. Examples may be found at *Kṣudrakavastu,* Derge 'dul ba Tha 100a.3, Da 138b.4; *Pravrajyāvastu* (Eimer) ii 193.14; *Vibhaṅga,* Derge 'dul ba Ja 90b.6.

62. *Vibhaṅga,* Derge 'dul ba Ja 61a.4–71b.4 = *Divyāvadāna* (Cowell & Neil), 483–495; *Bhaiṣajyavastu, GMs* iii 1, 280.8–281.18; *Kṣudrakavastu,* Derge 'dul ba Da 87a.6–87b.6; *Cīvaravastu, GMs* iii 2, 139.6–143.14 = Schopen, *BMBM,* 117–119; *Pāṇḍulohitakavastu,* N. Yamagiwa, *Das Pāṇḍulohitakavastu. Über die verschiedenen Verfahrensweisen der Bestrafung in der buddhistischen Gemeinde* (Indica et Tibetica 41) (Marburg: 2001) 64–67, 158–159.

63. H. Durt, "Mahalla/mahallaka et la crise de la communauté après le parinirvāṇa du Buddha," in *Indianisme et bouddhisme. Mélanges offerts à Mgr Étienne Lamotte* (Publications de l'Institut Orientaliste de Louvain 23) (Louvain-La-Neuve: 1980) 79–99, esp. 93, 94, 97.

64. von Hinüber, "Old Age and Old Monks in Pāli Buddhism," 74, 71. It should be noted that neither Durt nor von Hinüber refer to "old" nuns, but there certainly are some in the literature, beginning, of course, with Mahāprajāpatī. This topic will have to be studied, as will the issue of incompetent nuns. There are references to such nuns, though they seem to be comparatively few.

65. For two examples see *Cīvaravastu, GMs* iii 2, 98.9–102.14; *Vibhaṅga,* Derge 'dul ba Cha 184a.1–188a.5.

66. They are represented, for example, as offensive to the locals, both human and divine. At *Vibhaṅga,* Derge 'dul ba Ja 203a.3–204a.6 laymen who are staying at the *vihāra* for an all-night recitation of the *Dharma* lose their faith when they hear a *mahallaka* who had fallen asleep and was dreaming about sleeping with his former wife raving about it in his sleep; in both the *Varṣāvastu, GMs* iii 4, 148.10–150.3 and the *Pravāraṇāvastu* (J. Chung, *Die Pravāraṇā in den kanonischen Vinaya-Texten der Mūlasarvāstivādin und der Sarvāstivādin* [Sanskrit-Wörterbuch der buddhistischen Texte aus den Turfan-Funden. Beiheft 7] [Göttingen: 1998]) 159–162, *mahallas* verbally abuse, shout at, and grope women and girls of good families on roads or in fields, and their male relatives come to the monastery intending to kill, bind, or expel the monks; *mahallas* also offend the local spirits by throwing slops and other impure things all around there and the spirits attack the monks. In both the behavior of *mahallas* seriously threatens the well-being of the entire Community.

CHAPTER IV

Separate but Equal

Property Rights and the Legal Independence of Buddhist Nuns and Monks in Early North India

—for Patrick Olivelle, who has been in all but the conventional sense a *dharmabhrātr*—

VIRTUALLY NOTHING IS KNOWN about the relationships in early India between actual Buddhist male monasteries (*vihāras*) and female nunneries (*varṣakas, upasayas*) as institutions.[1] Certainly the enormous Buddhist monastic literature now contains provisions that would have rendered nuns ritually and hierarchically subservient to and dependent on monks, and this is especially the case in regard to the promulgation of the notorious eight *gurudharmas*, or "heavy rules of conduct," incumbent on nuns alone.[2] But even this particular piece of male craftsmanship did not address such issues as the administrative and legal relationships between monks and nuns, or *vihāra* and *varṣaka*. Indeed, in spite of the fact that any treatment of such issues would be of considerable interest not just for the study of the Indian Buddhist nun, but also for the history of women in early India, and for the study of Indian law, nothing yet seems to have been noted in the literature that would bear on these points. This situation alone would seem to justify simply presenting—in as economical a fashion as possible—a series of short texts from a Buddhist monastic code (*Vinaya*) that does in fact directly address the property rights and legal independence and separation of nuns and nunneries and monks and monasteries. Such a presentation, moreover, is made even more suitable by the fact that these texts, while never as detailed as one might like, are so clear that they require little commentary.

The monastic code in question is the *Mūlasarvāstivāda-vinaya* and it is itself enormous: its Tibetan translation, which appears to be complete, runs to thirteen volumes and the rough equivalent of eight thousand pages. It has been called "one of the masterpieces of Sanskrit literature," even though only a limited part of it has

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come down to us in that language, and it is indeed remarkably rich in story literature that ranges from the sublime to the ridiculous—it contains a good deal of humor and satire, much of it directed at certain kinds of monks and nuns, for example.[3] But as recent studies have begun to demonstrate, it is also rich in sophisticated legal texts and points of discussion. It has—again only as examples—detailed [626] rules on the use of permanent endowments and written loan contracts; full discussions of the lay ownership of Buddhist monasteries; and what approaches a fully worked-out system of monastic inheritance law, which explicitly addresses the distinction and relationship between monastic and secular law.[4] This system is particularly germane because the texts to be presented here form a part of it.

As is the case with all Buddhist monastic codes that have come down to us, the form in which we have this *Vinaya* is relatively late—they all reflect a fully developed monasticism—although there is now a general consensus that the *Mūlasarvāstivāda-vinaya* was very likely to have been redacted in the early centuries of the Common Era, and in a considerable number of specifics what is found in this code corresponds to what occurs in the Indian archaeological and inscriptional records of the same period—in this sense, at least, the contents of this code can often be independently dated to this time.[5] But, obviously, to be redacted at a certain point in time would necessarily require that a good deal of the material that was redacted was older and already current prior to the redactional event, and this too can sometimes be confirmed by the same sources—and some of it, of course, must be later. There is, unfortunately, no easy way to sort this out.

Attempts to determine the chronological relationships among the various parts of this huge *Vinaya* have yet to be undertaken, and there have already been some missteps, one of particular interest here since it involves the last section of this code, which is now called the *Uttaragrantha,* and it is from this section that the texts to be presented here come. More than fifty years ago, and apparently with little knowledge of what it actually contained, A. C. Banerjee described the *Uttaragrantha* as an "appendix," and said, "This work tells us nothing new; it is only an abridgement of the [other] Vinaya texts."[6] But even though a great deal of work remains to be done on the *Uttaragrantha,* and its component parts, it is already clear that Banerjee's characterization is very much off the mark. In those cases noted so far, for example, where the "same" text occurs both in the *Uttaragrantha* and some other section of this *Vinaya,* there are indications or details that point to the priority of the version in the *Uttaragrantha.*[7] There is also and already a significant list of rules and practices that are referred to in various sections of this *Vinaya* whose initial promulgation occurs only in the *Uttaragrantha:* "For example, the *Śayanāsana-*, *Pārivāsika-*, and *Kṣudraka-vastus* of the *Mūlasarvāstivāda-vinaya* all take for granted that the date must be formally announced every day in a

Mūlasarvāstivādin monastery, and that each day verses must be recited for the monastery's 'donor' or owner, but the rule requiring both is found only in the *Uttaragrantha*."[8] There is also a set of four or five festivals (*maha*) connected with the events in the early life of the Buddha that is frequently referred to in the *Kṣudrakavastu*, and in both the *Bhikṣu-* and *Bhikṣuṇī-vibhaṅgas*, but their "origin tale" and initial authorization are found only in the *Uttaragrantha*.[9] Indeed, although there is a long section in the *Cīvaravastu* dealing with the proper handling of a dead monk's estate, the initial rule requiring monks to [627] do so occurs only in the *Uttaragrantha*.[10] Far, then, from appearing as an add-on, the *Uttaragrantha* would seem to have been foundational, and that is precisely how the tradition itself seems to have taken it: the great Mūlasarvāstivādin digester Guṇaprabha, for example, places at the head of his *sūtras* dealing with the rules of monastic inheritance his treatment of texts from the *Uttaragrantha*—in fact the very texts presented here—and more than half of the texts he digests in that section come from it.[11] Much the same is true of Viśākhadeva's treatment of the topic in his *Vinayakārikā*—he too begins his presentation of the technicalities of inheritance with our texts from the *Uttaragrantha* and they are central to it.[12] For both of these early medieval Mūlasarvāstivādin "canonical lawyers" the *Uttaragrantha*—and our texts in particular—were a central, indispensable, and foundational source of their monastic law.

Given the status and role of the *Uttaragrantha* in Mūlasarvāstivādin circles, it is unfortunate indeed that only a fragment of unknown extent and content has come down to us in Sanskrit so far, and even it remains unpublished.[13] But the absence of a Sanskrit text is at least in part—and perhaps in large part—compensated for by the fact that we have the text in a Tibetan translation, and, to judge by what little is known of the Sanskrit fragment, this translation is—as is usually the case with Tibetan translations—a very close one. It is, of course, perfectly understandable that it is difficult for those who do not know both Sanskrit and Tibetan to appreciate just how close these translations can be, and many Indologists remain—rightfully—skeptical. But in regard to *Vinaya* texts, for example, we have a considerable amount of material preserved in Sanskrit, and when the Tibetan translations are put alongside this material, their faithfulness is, more often than not, startling. In fact, these Tibetan translations often allow us to see that the Sanskrit texts that we have are faulty and to "correct" them. The availability of this considerable amount of the same *Vinaya* material in both languages, and the established fact that Tibetan translators were reasonably consistent in their renderings, mean, moreover, that even when we have only the Tibetan translation we often can have a pretty good idea of what the Sanskrit being translated might have been. All of this, however, is not to say that this is by any means always the case—there are many knotty problems that remain, and there is obviously no real substitute for the original. It is just to say that there are good reasons for thinking that it is unlikely that the text of the Tibetan translation will differ markedly from what could have been read in the Sanskrit original, and this might be more especially the case in regard to our texts, since they are by and large simple, straightforward narrative texts without a lot of technical vocabulary and of no great length.

Four of our little texts (I, II, V, and VI) come from the section of the *Uttaragrantha* called the *Nidāna*,[14] and they follow one another without a break. The four form two structurally {628} parallel pairs. One of each pair deals with monks, the other with nuns, using the same frame story and virtually the same language, adjusted for gender. Both sets are repetitive to be sure, but here the repetition itself is reproduced because it reinforces a good part of the point: "What is good for the gander is good for the goose." The Tibetan text here is, as already noted, that found in the Derge printing and reproduces its punctuation. Variants from the Tog Palace manuscript *bka' 'gyur* and the Peking printing are given in notes.

I (= ii)[15]

Derge 'dul ba Pa 86a.2–.6 = Tog 'dul ba Na 122b.5–123a.5 = Peking 'dul ba Phe 83b.2–.7

gleng gzhi ni mnyan du yod pa na ste[1] */ mnyan du yod pa na dge slong gzhan zhig dus 'das nas de'i lhung bzed dang chos gos*[2] *dge slong ma zhig gi lag tu bzhag go /*

dge slong dag gis de'i ro bsregs nas slar gtsug lag khang du phyin nas lhung bzed dang chos gos dag btsal na ma rnyed de / de dag gis[3] *dge slong ma'i dbyar mo khang na dge slong ma ming 'di zhes bya ba zhig la yod par shes nas de dag gis*[4] *dge slong ma'i dbyar mo khang du dong ste / 'phags ma dge slong 'di zhes bya ba dus*[5] *'das pa de'i lhung bzed dang chos gos 'di na gtams*[6] *shing 'dug pa de tshur byin cig ces smras pa dang / des smras pa / 'phags pa dge slong de gang du dus 'das {/}*

nged kyi gtsug lag khang du dus las[7] *'das so /*

'phags pa khyed kyi de na mchis pa ni khyed dbang[8] */ bdag cag gi de na mchis pa ni bdag cag dbang ngo / ji ltar*[9] *zhe na /*[10] *bdag cag gi yang chos kyi ming po lags so zhes smras pa dang / de ltar gyur pa dge slong dag gis bcom ldan 'das la gsol pa dang / bcom ldan 'das kyis dge slong gi lhung bzed dang chos gos ni dge slong dag dbang gis dge slong ma dag ma 'chang shig*[11] *ces bka' stsal to /*

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After the monks had cremated his corpse and had returned to the *vihāra,* when they looked for his bowl and robes they did not find them. When they

> came to know that they were with a nun named so-and-so in a retreat house of the nuns (*bhikṣuṇī-varṣaka*), they went to the retreat house of the nuns, and they said: "Noble Lady, you must return the bowl and robes of the deceased monk named so-and-so that were left (*saṃnyasta*) and remain here!"
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for the original. It is just to say that there are good reasons for thinking that it is unlikely that the text of the Tibetan translation will differ markedly from what could have been read in the Sanskrit original, and this might be more especially the case in regard to our texts, since they are by and large simple, straightforward narrative texts without a lot of technical vocabulary and of no great length.

Four of our little texts (I, II, V, and VI) come from the section of the *Uttaragrantha* called the *Nidāna*,[14] and they follow one another without a break. The four form two structurally [628] parallel pairs. One of each pair deals with monks, the other with nuns, using the same frame story and virtually the same language, adjusted for gender. Both sets are repetitive to be sure, but here the repetition itself is reproduced because it reinforces a good part of the point: "What is good for the gander is good for the goose." The Tibetan text here is, as already noted, that found in the Derge printing and reproduces its punctuation. Variants from the Tog Palace manuscript *bka' 'gyur* and the Peking printing are given in notes.

I (= ii)[15]

Derge 'dul ba Pa 86a.2–.6 = Tog 'dul ba Na 122b.5–123a.5 = Peking 'dul ba Phe 83b.2–.7

*gleng gzhi ni mnyan du yod pa na ste*1) / *mnyan du yod pa na dge slong gzhan zhig dus 'das nas de'i lhung bzed dang chos gos*2) *dge slong ma zhig gi lag tu bzhag go /*

*dge slong dag gis de'i ro bsregs nas slar gtsug lag khang du phyin nas lhung bzed dang chos gos dag btsal na ma rnyed de / de dag gis*3) *dge slong ma'i dbyar mo khang na dge slong ma ming 'di zhes bya ba zhig la yod par shes nas de dag gis*4) *dge slong ma'i dbyar mo khang du dong ste / 'phags ma dge slong 'di zhes bya ba dus*5) *'das pa de'i lhung bzed dang chos gos 'di na gtams*6) *shing 'dug pa de tshur byin cig ces smras pa dang / des smras pa / 'phags pa dge slong de gang du dus 'das {/}*

*nged kyi gtsug lag khang du dus las*7) *'das so /*

*'phags pa khyed kyi de na mchis pa ni khyed dbang*8) */ bdag cag gi de na mchis pa ni bdag cag dbang ngo / ji ltar*9) *zhe na /*10) *bdag cag gi yang chos kyi ming po lags so zhes smras pa dang / de ltar gyur pa dge slong dag gis bcom ldan 'das la gsol pa dang / bcom ldan 'das kyis dge slong gi lhung bzed dang chos gos ni dge slong dag dbang gis dge slong ma dag ma 'chang shig*11) *ces bka' stsal to /*

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vocabulary, but as asserting the one as an established principle, and using the other as if it were a known commodity and an already current usage. Moreover, it seems clear in our *Vinaya* text that the nun represents the "old" position that caused the impasse, the position our text was meant to "update" or adapt to a "new" situation, or at least a situation it was not designed for: the presence of women as coreligionists and therefore potential claimants to such estates. But if our Buddhist text was adapting it in this way—and it may be difficult to read it otherwise—then obviously the principle, if not its specific textual formulation in *Yājñavalkya* and the *Arthaśāstra,* must have preceded it. It should also be noted that the Buddha's response actually leaves the "old" position intact.

In responding to the case reported to him by the monks—the "new" situation that our text is meant to address—the Buddha does not reject the assertion that what is in a *varṣaka* belongs to the nuns and what is in a *vihāra* belongs to monks. Nor does he reject the claim that a monk is a brother-in-Dharma and, therefore, a coreligionist of the nuns, or the implicit claim that the estate of a *brahmacārin* goes to his *dharmabhrātṛs.* In fact, in contexts dealing only with males, the *Mūlasarvāstivāda-vinaya* repeatedly insists on the fact that the property of a dead monk goes to his *sabrahmacārins,* and it is precisely this term that these Buddhist sources use over and over.[26] All that the ruling delivered in our text does, then, is introduce a gender distinction that puts limits on the application of those rules—dharmaśāstric and Buddhist—that are already in place. While, for example, the principle governing ownership of property in a *varṣaka* or *vihāra* is not rejected, its application is now limited by an even broader ruling that is to have precedence: the property of a *male brahmacārin* or monk must go at his death to *male sabrahmacārins* regardless of where it might physically be. Contrary [632] to how it might appear at first sight, the new provision does not weaken the legal separation between Buddhist monk and Buddhist nun, but rather appreciably strengthens it: it now appears all but absolute, although this too will require some modification.

A gendered provision of the sort delivered in our text, if even conceivable to theoreticians of *dharmaśāstra,* would almost certainly have been deemed completely unnecessary. Since all recognized coreligionists would have been, for them, male, the issue would simply not arise, and there is not—as far as I know—anything like this provision in *dharmaśāstra.* Given the absence of such a provision there, it would appear that if Buddhist theoreticians wanted to adapt dharmaśāstric rules of inheritance for their monks—and there is also other evidence that they did—then they would also have to add additional provisions to govern their nuns. This may have been an especially pressing issue in the early centuries of the Common Era and just before, since inscriptions from that period would seem to indicate that there were then as many Buddhist nuns as Buddhist monks, and that those nuns had the economic means to make a large number of independent donations.[27] They could not easily—or wisely—be ignored. And our monastic code did not do so.

There are texts in the *Mūlasarvāstivāda-vinaya* that represent nuns and monks in direct economic competition. A good and now easily available example concerns what is called the Great Festival (*mahā-maha*) during which the monks took an image in procession into town. This procession resulted, according to the text, in "very abundant" donations, but when the nuns asked for a share the monks refused. The nuns then set out their own image wagon. The Buddha, however, is then made to condemn this in very strong terms:

> Therefore, a nun must not set out a separate wagon at the time of the festival! If nuns set out a separate wagon at the time of the festival, they are as such a cause of division and are guilty of a very serious offense.[28]

Here, of course, it may be fair to see that modern bugaboo, the heavy hand of the misogynist monk, protecting its own interests, and one might expect to find it in our texts as well—certainly at least to this point the ruling of the Buddha appears to be decidedly one-sided. But any such expectation is, for moderns, happily disappointed. In regard to the property of deceased nuns, and for reasons probably connected to the fact that the nuns it knew were a significant presence, the Mūlasarvāstivādin tradition at least here conceded that, indeed, what was good for the gander was good for the goose: immediately following the text that declares that a deceased monk's property must go to monks is another, which in very similar language declares that the estate of a dead nun must go to nuns.

II (= iii)

Derge 'dul ba Pa 86a.6–b.4 = Tog 'dul ba Na 123a.5–b.4 = Peking 'dul ba Phe 83b.7–84a.4

*mnyan du yod pa na dge slong ma gzhan zhig dus las*1) *'das nas de'i lhung bzed dang chos gos dge slong zhig la bzhag go /*

*dge slong ma dag*2) *gis de'i ro bsregs nas / dge slong ma'i dbyar mo khang du*3) *lhags te / lhung bzed dang chos gos bstal*4) *na ma rnyed nas gtsug lag khang zhig na dge slong ming 'di* [633] *zhes bya ba zhig la yod par shes nas / de dag gtsug lag khang du 'ongs te dge slong dag gi rkang pa la phyag 'tshal nas / 'phags pa dge slong ma ming 'di zhes bgyi ba dus las*1) *'das te / de 'i lhung bzed dang chos gos 'di na mchis na / de bdag cag 'tshal gyis slar stsol cig ces smras pa dang / des smras pa / dge slong ma de gang du dus las*1) *'das /*

*bdag cag gi dbyar mo khang du dus las*1) *'das so /*

*de ltar na 'phags ma khyed kyi*5) *de na 'dug pa ni khyed dbang mod / nged kyi de na yod pa ni nged dbang ste*6) */ de yang*7) *nged kyi chos kyi sring mo yin no zhes smras pa dang / de ltar gyur ba dge slong ma dag gis dge slong dag la smras pa dang / dge slong dag gis bcom ldan 'das la gsol nas / bcom ldan 'das kyis de ste dge slong ma'i lhung bzed* *dang chos gos yin na de dge slong ma dag gi yin te / dge slong ma dag dbang bas*8) *na dge slong dag ma 'chang shig*9) *ces bka' tsal to /*

1) Tog omits *las.* 2) Tog has *rnams* instead. 3) Tog inserts *slar.* 4) Peking: *bcal.* 5) Peking: *kyis.* 6) Tog has *nged dbang ba'i steng du;* Peking: *nged dbang ba ste.* 7) Tog: *'ang.* 8) Peking omits *bas.* 9) Tog: *zhig.*

When a certain nun died in Śrāvastī, her bowl and robes had been left with a monk.

After the nuns had cremated her corpse, they assembled at the retreat house of the nuns (*bhikṣuṇī-varṣaka*), and when they looked for the bowl and robes, when they did not find them, after they came to know that they were with a monk named so-and-so in a *vihāra,* they went to the *vihāra,* and after venerating the feet of the monks they said: "Noble Sirs, the nun named so-and-so has died, and since her bowl and robes are here and we are seeking them, you must return them!"

But he said: "Where did that nun die?"

"She died in our retreat house."

"Indeed, Noble Ladies, what is in that place of yours you are the owner of. What is in that place of ours we are the owner of.[29] She was also our sister-in-the-Dharma (*dharma-bhaginī*)." And when this was said, and the nuns told other monks what had occurred, after those monks reported it to the Blessed One, the Blessed One said: "If the bowl and robes are a nun's they are the nuns', and since the nuns are the owners monks must not keep them!"

Our first and second texts are an obvious matched pair, and that they were promulgated as such and together would seem to be indicated by the fact that as we have them the second lacks an independent formal introduction or *nidāna: gleng gzhi ni mnyan du yod pa na ste = śrāvastyāṃ nidānam*—the obligatory formula which stands at the head of all separate texts—occurs only in I. Apart from this the two texts are almost perfectly parallel in both form and content. Even in their language they are basically the same account gendered differently, and here there is no asymmetry. Where, for example, in the male version females claim that the male deceased was a brother-in-the-Dharma or *dharmabhrātṛ,* in the female version males claim that the deceased female was a sister-in-the-Dharma or *dharmabhaginī,* and neither claim is rejected. In fact, as we will shortly see, these claims seem to be implicit in further rules. Here it might also be worth noting that this usage of *dharmabhaginī* is—for reasons already indicated—very likely to be a Buddhist innovation. The term does not appear to be used, and probably could not have been, in this sense, in *dharmaśāstra,* and even in Indian literature it has Buddhist associations: the Buddhist monk in Śūdraka's *Mṛcchakaṭika* refers to a nun as his *dharmabhaginī.*[30]

[634] The gendering of the accounts is, of course, thoroughgoing and complete, and the hierarchical subservience of nuns to monks that is required by other

rules is maintained and clearly visible. But ironically even this hierarchical subservience underlines the principle of legal equality delivered in our texts. In I when monks went to the *varṣaka* they immediately addressed the nuns without any formal preliminaries; but in II when nuns went to the *vihāra* they address the monks only "after venerating the feet of the monks." In I—and this is an established procedure everywhere in this literature—monks reported what occurred directly to the Buddha, but in II the nuns had to report it to monks who then themselves reported it to the Blessed One, and this too is standard procedure: nuns are not narratively given direct access to the Buddha in the same way as monks. What is striking about II, however, is that in spite of the fact that it reproduces the established hierarchical subservience of nuns to monks, *this has no influence or bearing on the nuns' separate and equal legal rights to property.* As can be easily seen, our text gives to nuns—without qualification and in virtually the same language—exactly the same exclusive rights to the property of a deceased nun that it gives to monks in regard to the estate of another monk. Here hierarchical status does not equate to legal status—the one is not a reflection of the other, and the legal separation and equality of nuns and monks in regard to property appears to be all but absolute. This almost certainly is the most noticeable and important message the author of these texts was trying to send.

That in theory at least the legal separation of nuns and monks was all but absolute appears, moreover, to be confirmed by other cases in this monastic code. A particularly good example of such a case deserves to be quoted at length because it shows this legal separation, because we have a good part of it in Sanskrit, and because that Sanskrit text is also a good example of the tone these *Vinaya* texts often have and reveals how much—in several senses—could be at stake here. This case is developed in two stages in two different places. The foundation is laid in the *Cīvaravastu,* and this section of our *Vinaya* is preserved in Sanskrit. It concerns the right to inherit of the attendant or nurse (*upasthāyaka*) of a dying monk.

III (= xx)[31]

Śrāvastyāṃ nidānam / tena khalu samayenānyatamo bhikṣur ābādhiko duḥkhito bāḍhaglānaḥ / tasya bhikṣuṇā upasthānaṃ kṛtam / tathāpi kālagataḥ / tasya pātracīvaraṃ vṛddhānte nītam / tatraikaṃ cīvaraṃ kenāpi nāśitam / makṣikābhir ākīrṇam / tataś cīvarabhājakenāsāv upasthāyiko 'bhihitaḥ / āyuṣmann alasas tvam / na tvayaitac cīvaraṃ śocitam / śocaya /

sa kathayati / tvaṃ pariṣkāraṃ bhājayiṣyasi / ahaṃ śocayiṣyāmi / tvam eva śocaya/

etat prakaraṇaṃ bhikṣavo bhagavata ārocayanti / glānopasthāyikasya ṣaṭ pariṣkārā dātavyāḥ / avaśiṣṭaṃ bhikṣubhir bhājayitavyam / upasthāyikāś ced bahavo bhavanti sarvaiḥ ṣaṭ pariṣkārāḥ sāmānyaṃ bhājayitavyāḥ /

> *apare bhikṣavo jñātamahāpuṇyāḥ kālaṃ kurvanti / teṣāṃ bahavaḥ pariṣkārāḥ*
> *śrāmaṇyapariṣkārā jīvitapariṣkārāś ca / vṛddhānte 'bhirohitāḥ / uktaṃ bhagavatā /*
> *upasthāyakena ṣaṭ pariṣkārā grahītavyā iti / sa vicārya vicārya praṇītāni gṛhṇāti /*
> *bhagavān āha / na praṇītāni dātavyāni / bhikṣavo lūhāni dadati /*
> *bhagavān āha / na lūhāni dātavyāni / api tu madhyāni dātavyānīti /*

The punctuation here is, of course, the modern editor's and a bit heavy-handed. Keeping this in mind the text might be translated as follows:

> The determining event was in Śrāvastī. On that occasion there was a monk who was afflicted, suffering, gravely ill. He was attended to by a monk, but even so he died. His bowl and robes [635] were brought to the seniors' end of the assembly. One of the robes there had been spoiled by something and was full of flies. The monastic official who distributed robes then said to that attendant: "You, Venerable, are a lazy fart![32] You have not cleaned this robe—clean it!"
>
> But the attendant said: "You will be distributing the belongings while I will be doing the washing—wash it yourself!"
>
> The monks reported this matter to the Blessed One, [and the Blessed One said]:[33] "The six standard belongings must be given to the attendant of the sick. The rest must be divided by the monks. If there are many attendants the six belongings must be distributed among all equally."[34]
>
> Other monks who were famous and rich died.[35] Their belongings were very numerous, both religious belongings and secular belongings,[36] and they were heaped up at the seniors' end of the assembly. It having been said by the Blessed One: "The six belongings must be taken by the attendant," the attendant, after having repeatedly picked through them, took the very best.
>
> The Blessed One said: "The very best must not be given," and the monks gave him the worst.
>
> The Blessed One said: "The worst must not be given, but the middling must be given to him."

Although perhaps not as edifying as some might like, the literary portraits here look a lot like real people, and this text provides another good example of the almost colloquial style of the language of this *Vinaya,* particularly of the kind of sharp retorts sometimes found in its dialogues. But it is also one of many of its texts that deal in one way or another with the issue of attending to the sick and caregiving. Although little studied, this was clearly a significant preoccupation of the compilers of this code, and the provisions—or even system—that they devised might well have made any Community that could implement them attractive to those who lacked the usual familial safety nets.[37] But some of these provisions—and our text is one of them—could also create further problems.

The initial rule put in place in the *Cīvaravastu* would seem to have been intended to promote attending to the sick and terminally ill by establishing a legally sanctioned material reward for doing so. But the same text indicates—and it is not the only one that does—that the compilers of this code knew or foresaw that the estates of some monks could be very extensive indeed, and the richness of such estates immediately required further provisions: the initial ruling in the *Cīvaravastu* is immediately followed without a break by further provisions dealing specifically and exclusively with the estates of rich monks. These same [636] estates, moreover, could, it seems, give rise to suspicions that can only remind one of the opprobrium connected with what in Roman law and literature is called *captatio*, "legacy hunting" or—more correctly according to Champlin—"inheritance hunting," one of the many objects of Juvenal's wit.[38] The compilers of our *Vinaya* seem to have been aware that some might suspect that a monk was attending to another monk simply to inherit his property. In a remarkable passage in the *Saṅghabhedavastu*[39] that is preserved in Sanskrit, the monk Ānanda agrees to be the attendant (*upasthāyaka*) of the Buddha only on several conditions, the first of which is that he would not keep the Blessed One's robes. When this is reported to the Buddha by the monk Maudgalyāyana, the Buddha himself is made to effusively praise Ānanda:

> *sādhu sādhu maudgalyāyana paṇḍita ānando bhikṣuḥ. sa paśyaty anāgataṃ sabrahmacāriṇām antikād vādānuvādaṃ garhasthānīyaṃ dharmaṃ. syur me atonidānaṃ sabrahmacāriṇo vaktāraḥ cīvarahetor ānando bhikṣuḥ śāstāram upatiṣṭhati. maudgalyāyana ānandasya bhikṣor āścaryādbhuto dharmaḥ.*
>
> Excellent! Excellent, Maudgalyāyana! Wise is the monk Ānanda. He sees in the future a controversy and dispute from fellow-monks, a thing involving blame: there might be those that say for the sake of robes the monk Ānanda attends the Teacher. Maudgalyāyana, the character of Ānanda the monk is amazing.

Here again the compilers of this *Vinaya* seem to reveal an appreciation of the wide range of human behavior and foibles, but the suspicion of "legacy hunting" was only one of the uncertainties surrounding this rule. There was a whole series of questions about when and under what conditions it does or does not apply. One of these—as could be anticipated—addresses the issue of both the status and gender of the attendant or nurse.

The text involved here—the second of our second set—comes again from the *Uttaragrantha*. It begins with conditions or circumstances that can affect a monk attendant's right to inherit, but ends with questions about the effect of status and gender, and these are of greatest interest for our purposes. In short, they address situations in which the attendant was not a monk and they do so with concision.

IV (= xxi)

> *btsun pa dge tshul phas nad g-yog bgyis na / de la nad g-yog la gos stsal bar bgyi 'am /*
> *u pā li sbyin par bya 'o /*
> *btsun pa dge slong mas nad g-yog bgyis pa las nad pa dus bgyis na de la nad g-yog la gos stsal bar bgyi 'am /*
> *mi sbyin no / dge slob ma dang / dge tshul ma rnams kyang de bzin no /*[40]

The speakers here are—as they are throughout this entire section of the *Uttaragrantha,* which is entitled "The Questions of Upāli"—the monk Upāli, the foremost authority in the *Vinaya,* and the Buddha, here addressed as "Reverend One," and the sick person throughout the passage is understood to be a monk.

> "Reverend One, if a male novice (*śrāmanera*) acts as the attendant of the sick (*glānopasthāyaka*), are the robes then to be given to the attendant of the sick?"
>
> [637] "Upāli, they must be given."
>
> "Reverend One, if after a nun (*bhikṣuṇī*) has acted as the attendant of the sick, the sick person dies, are the robes to be given to the attendant of the sick?"
>
> "They must not be given. It is also thus for female postulants (*śikṣamāṇā*) and female novices (*śrāmaṇerī*)."

The chronological relationship of the two texts in our second set (III and IV), the *Cīvaravastu* text and the *Uttaragrantha* text, is, of course, and unfortunately, unknown, so that even though it might look at first sight as if the latter was amending the former to bring it into line with its other provisions, this cannot be asserted with confidence. It could also be argued, for example, that the *Cīvaravastu* text, addressed as it is only to monks, already implicitly excludes nuns, or that the provisions in the *Uttaragrantha* were so well known that they did not need repeating. The most that can be said, then, is that the two texts taken together—and the *Uttaragrantha* text quite explicitly—indicate once again a clear legal separation between nuns and monks: once again the property of a monk must go to another male, even if that male is only a novice, and it cannot go to any female regardless of her status as attendant. The value of this example is, of course, that here the principle of the legal separation of nuns and monks collides with another rule, the rule that requires that the property of the deceased goes to the person who attended to the deceased, and the strength of the former is made evident by the fact that it overrode the latter: the legal separation of nuns and monks supersedes and blocks the other provision. One further point here, however, needs comment.

The most noticeable thing about I and II taken together is the even-handedness of their gendered rulings, their enshrinement, in effect, of the unexpected axiom that—in our restatement—"what is good for the gander is good for the goose." The absence of the same sort of symmetry in our second set of texts is no less noticeable, and the reasons for it are not immediately obvious. Our own cultural expectations might suggest that while females might commonly or even typically act as attendants or nurses, males would not. But this is not confirmed by what little can be deduced from classical Indian medical texts. Leslie and Wujastyk say, for example:

> Although no explicit statement on this issue is made by Suśruta, it becomes apparent that, while the doctor is invariably male, the sex of the assistant [*upasthātṛ*] is determined by the sex of the patient. Since most of the directives in medical treatises refer to the patient in the masculine form, it is not surprising that the assistant too is assumed to be a man. Where a female patient is specified, however, the nursing assistant is always female.[41]

Nor do our cultural expectations correspond to what occurs in our *Vinaya.* There not only does the Buddha himself act as a nurse, but monks also are repeatedly described as acting as nurses, even outside the monastery and to laymen, and some of these are very senior monks.[42] In all these cases, moreover, the sick person or patient appears to have been male, and no cases have yet been noted of a monk attending to a nun or a nun acting as a nurse to a monk. This would seem not only to be in line with the observation of Leslie and Wujastyk in regard to Indian medical texts, but the nursing of nuns by monks, or monks by nuns, would also seem to be rendered problematic by Buddhist rules against physical contact between [638] members of the opposite sex. In spite of all this, however, our *Uttaragrantha* passage would seem to suggest that its compilers considered instances of nuns, female postulants, and novices acting as attendants or nurses to monks not only possible, but common enough to create problems and to require a formal, legal solution. For now, however, here the matter must rest, and, happily, the asymmetry found in our second set of texts does not reappear in our third.

The third and final set of texts to be treated here is, like the first, a gendered, symmetrical pair, and in fact immediately follows the first set in the *Uttaragrantha.* Both texts of the set deal with the same situation, in the same way, using almost the exact same language. The only difference is that the first deals with the disposition of a deceased monk's property when there are nuns present but no monks available to take it, and the second simply reverses the situation. Here the two are given together.

V (= iv)

Derge 'dul ba Pa 86b.4–.7 = Tog 'dul ba Na 123b.4–124a.2 = Peking 'dul ba Phe 84a.4–.8

gleng gzhi ni mnyan du yod pa na ste / mnyan du yod pa na dge slong gzhan zhig gzhongs[1] *spyad pa spyod cing ri brags kyi*[2] *grong gzhan zhig tu phyin nas / de khyim* *pa'i khyim zhig tu dus las[3] 'das te de des dur khrod du bor nas lhung bzed dang chos gos sbas te bzhag go /*

dus phyi zhig na dge slong ma mang zhig gzhongs[1] spyad pa spyod cing ri brags kyi[4] grong der phyin pa dang / khyim bdag des de dag mthong ste / 'phags ma bdag gi[5] khyim du dge slong zhig dus las[3] 'das pa'i lhung bzed[6] dang chos gos 'di lags kyis snoms shig ces smras pa dang / de dag gis smras pa / khyim bdag 'di ni bcom ldan 'das kyis ma gnang bas dge slong dbang ngo /

de ltar gyur ba dge slong ma dag gis dge slong dag la smras so /

dge slong dag gis bcom ldan 'das la gsol pa dang / bcom ldan 'das kyis gang na dge slong med pa de dag tu ni dge slong ma dag gis[7] blang bar bya ste / de la the tshom[8] ma byed cig ces bka' stsal to /

[1] Tog: *ljongs.* [2] Peking: *ri brag gis.* [3] Tog omits *las.* [4] Peking: *ri brag gyi.* [5] Peking: *gis.* [6] Peking: *gzed.* [7] Tog omits *gis.* [8] Tog: *tsom.*

VI (= v)

Derge 'dul ba Pa 86b.7–87a.4 = Tog 'dul ba Na 124a.2–b.1 = Peking 'dul ba Phe 84a.8–b.5

gleng gzhi ni mnyan du yod pa na ste / mnyan du yod par dge slong ma mang zhig gzhongs[1] spyad pa spyod cing dong ba na de[2] dag las dge slong ma zhig na bar gyur nas / de dal bus 'gro zhing phyi nas 'ong ba las[3] de[4] lam stor te / ri brags kyi grong gzhan zhig tu phyin nas de khyim pa'i khyim du dus las[5] 'das so /

des de dur khrod du bor nas lhung bzed dang chos gos sbas te bzhag[6] go / de nas dus phyi zhig na dge slong mang zhig gzhongs[1] spyad pa spyod cing ri brags kyi grong der phyin pa dang / khyim bdag des de dag mthong nas 'phags pa dag bdag gi khyim du dge slong ma zhig dus las[5] 'das te /[7] de'i lhung bzed dang chos gos 'di lags kyis snoms shig ces smras pa dang / de dag gis smras pa / khyim bdag bcom ldan 'das kyis ma gnang ste / 'di[8] dag ni dge slong ma dbang no /

de ltar gyur ba dge slong rnams kyis bcom ldan 'das la gsol pa dang / bcom ldan 'das kyis gang na dge slong ma med pa der ni dge slong rnams kyis blan bar bya ste / de la the tshom[9] ma byed cig ces bka' stsal to /

[1] Tog: *ljongs.* [2] Derge has *da,* but has been emended. [3] Tog: *la.* [4] Tog: *des.* [5] Tog omits *las.* [6] Derge has *bzhug,* but has been emended in light of V; Peking: *gzhag.* [7] Tog inserts *des.* [8] Tog: *de.* [9] Tog: *tshom.*

V (= iv)

[639] The determining event was in Śrāvastī (*śrāvastyāṃ nidānam*), and in Śrāvastī a monk was traveling through the countryside (*janapadeṣu cārikāṃ caran*). When he reached a border town (*karvaṭaka*) he died in the house of a layman, and when that layman had thrown him into the cemetery (*śmaśāne chorayitvā*)[43] he kept his bowl and robes and stored them away.

At a later time many nuns traveling through the countryside reached that border town, and that householder, seeing them, said: "Noble Ladies, since these are the bowl and robes of a monk who died in my house you must take them!" But they said: "Householder, the Blessed One has not authorized this—a monk is the owner."

The nuns told the monks what had occurred.

The monks reported it to the Blessed One, and the Blessed One said: "Where there is no monk, there nuns must take them (*grahītavya*)—concerning that there must be no doubt!"

VI (= v)

The determining event was in Śrāvastī, and in Śrāvastī many nuns were traveling through the countryside and when, while they were going along, one of the nuns among them got sick, because she moved slowly and fell behind, she lost her way. After reaching a border town she died in the house of a layman.

When that layman had thrown her into the cemetery he kept her bowl and robes and stored them away.

Then at a later time many monks traveling through the countryside reached that border town, and when that householder saw them he said: "Noble Ones, a nun died in my house and since these are her bowl and robes you must take them!" But they said: "Householder, the Blessed One has not authorized it—a nun is the owner."

The monks reported to the Blessed One what had occurred, and the Blessed One said: "Where there is no nun, there monks must take them"[14]—concerning that there must be no doubt!"

Like I and II and as already noted, V and VI are a matched pair—essentially the same account gendered differently. As in the first set, so too here the gendering goes beyond the mere substitution of *bhikṣunī* for *bhikṣu* or feminine for masculine pronouns and forms of address. Notice, for example, that in the case of the monk the fact that he was traveling and died alone is taken as a given and is unproblematic, but how this could happen in the case of a nun has got to be narratively explained since nuns were not supposed to wander on their own. Notice too that as in II, so in V the hierarchical subservience of nuns to monks is again marked by the fact that procedurally nuns cannot directly report to the Buddha, but here too that hierarchical subservience has no bearing or effect on a nun's legal rights to property: given the absence of monks, nuns have exactly the same right to the property of a deceased monk as monks have to that of a nun in the same, though reversed, circumstances. Here, then, legally gender does not matter: what applies to one sex applies equally to the other, and yet the principle of their separation remains intact.

[640] Obviously, on one level V and VI are modifying or restricting the application of the principle that "what belongs to a monk must go to a monk, and

vice versa," but their modification at the same time implicitly affirms it: it remains the rule except under specific circumstances, except in the absence of fellow religionists of the same sex. Indeed, the strength of the principle of separation seems to be indicated both by the fact that the exception was not simply added as a rider to the original rule, but required separate legislation, and by the forceful exhortation not to be in any doubt that ends both V and VI, and is not typical.

It is probably equally obvious that V and VI were, as it were, meant to keep monastic property "in the family," to prevent it from falling to lay hands or to the state, and our monastic code explicitly addresses this issue elsewhere as well.[45] Here, however, any "familial" assertion is either implicit or carried by the redactional placement of V and VI. In neither text is there any justification given for the claims of nuns or monks to the property of other monks or nuns, and it seems they could only be based on the assertions made in I and II which—as we have seen—were never rejected: there nuns claim that a monk was their "brother-in-the-Dharma" and monks claim a nun as their "sister-in-the-Dharma" and, while never denied, I and II rule that this "fact" is overruled by the principle of the strict legal separation of nuns and monks in regard to property. The "familial" relationship appears, however, to remain in effect. It may be that the placement of V and VI immediately after I and II was meant to indicate that the redactors of the *Uttaragrantha* wanted this to be understood, and wanted implicitly to reaffirm the validity of the "familial" relationship because it had just been overridden. This last, of course, must remain conjectural, but it would at least fit with the delicate and difficult project that all the texts reviewed here seem to aim at: to introduce, or formally sanction and reaffirm, the strict legal separation and independence of Buddhist nuns (women) and Buddhist monks (men), while at the same time maintaining that both female and male members belonged equally to the same fictive kin group, to the same "family"; that, in short, female and male were separate but equal, at least in legal terms. This might be thought a difficult position to maintain—and perhaps a surprising one to be found in classical India—and yet it might well be judged a worthy one, and it is all the more unfortunate that even now we still know so little about it.

Notes

1. For the term *varṣaka* see below.

2. For old and standard views on the Pāli version of these rules see, for example, I. B. Horner, *Women under Primitive Buddhism. Laywomen and Almswomen* (London: 1930) 118–161;

M. Wijayaratna, *Les moniales bouddhistes. Naissance et développement du monachisme féminin* (Paris: 1991) 29–32. Note that although "nun" is used here throughout for *bhikṣuṇī*, and "monk" for *bhikṣu*, this is a matter of convenience and is certainly not based on any conviction that these are good translations of the original terms; see G. Schopen, "The Buddhist *Bhikṣu*'s Obligation to Support His Parents in Two Vinaya Traditions," *JPTS* 29 (2007) 107–136, esp. 132 [= Ch. XIV below].

3. See, for example, G. Schopen, "The Learned Monk as a Comic Figure. On Reading a Buddhist Vinaya as Indian Literature," *JIP* 35 (2007) 201–226 [= Ch. XVIII below]; for satire directed toward a nun, see Schopen, "On Emptying Chamber Pots without Looking and the Urban Location of Buddhist Nunneries in Early India Again," *JA* 296 (2008) 229–256 [= Ch. II above].

4. See respectively Chapters III, VIII, and V, in Schopen, *BMBM*.

5. Schopen, *BMBM*, 19ff.

6. A. C. Banerjee, *Sarvāstivāda Literature* (Calcutta: 1957) 99.

7. Schopen, *BMBM*, 125.

8. Schopen, *BMBM*, 124, and chapter 9.

9. For some references to these festivals, see *Kṣudrakavastu*, Derge 'dul ba Da 177a. 1; 181b.1; *Bhikṣu-vibhaṅga*, Derge 'dul ba Cha 59b.3. For the initial authorization of these same festivals, see *Uttaragrantha*, Derge 'dul ba Pa 140a.2–.7. [See now G. Schopen, "Celebrating Odd Moments. The Biography of the Buddha in Some Mūlasarvāstivādin Cycles of Religious Festivals" = Ch. XVI below.]

10. Schopen, *BMBM*, 152–154, for the text and a translation of the initial rule.

11. Schopen, *BMBM*, 126–128.

12. *Vinayakārikā*, Derge, bstan 'gyur, 'dul ba Shu 55a.4ff. The presence of our rule in these medieval handbooks meant that they continued in circulation for a very long time, both in India and in Tibet, where these handbooks formed an important part of higher monastic education.

13. There are an unknown number of damaged folios corresponding to text now found in the Tibetan *Uttaragrantha* that have been tentatively identified in the Schøyen Collection, but many of them are stuck together and require technical restoration.

14. On this and other sections of the *Uttaragrantha*—some of which are preserved as separate texts in Chinese—the following important preliminary papers are essential: S. Clarke, "The *Mūlasarvāstivāda Vinaya Muktaka*," *Bukkyō Kenkyū* 30 (2001) 81–107; S. Clarke, "The *Mūlasarvāstivādin Vinaya*—A Brief Reconnaissance Report," in *Sakurabe Hajime hakushi kijukinen ronshū. shoki bukkyō kara abidaruma e* (Kyoto: 2002) 45–63; S. Clarke, "Right Section, Wrong Collection. An Identification of a Canonical Vinaya Text in the Tibetan *bstan 'gyur—Bya ba'i phung po zhes bya ba* (*Kriyāskandha-nāma*)," *JAOS* 124 (2004) 335–340.

15. Lowercase Roman numerals in parentheses indicate that the texts in question form a part of the series of texts that Guṇaprabha treats in his "system" of Mūlasarvāstivādin monastic inheritance law in his *Vinayasūtra* and where in that series they occur—see the table in Schopen, *BMBM*, 126–127 (= Schopen, "Dead Monks and

Bad Debts. Some Provisions of a Buddhist Monastic Inheritance Law," *IIJ* 44 [2001] 103–104).

16. It should be noted that the boundaries of direct speech in Mūlasarvāstivādin *Vinaya* texts in both Sanskrit and Tibetan are not always absolutely certain or well marked, and that that is true here. Note too that the absence of a final particle after *dbang* in the collocation *'phags pa khyed kyi de na mchis pa ni khyed dbang* / makes it possible to take it as a rhetorical question: "Are you the owners of what is in that place of yours?" Since, moreover, possession or ownership is expressed in a variety of ways in Sanskrit the exact idiom that the Tibetan might be translating both here and in II, V, and VI below is all but impossible to determine, but see Pāli *Vinaya* i 303.35: *bhikkhussa bhikkhave kālaṃ kate saṃgh sāmī pattacīvare*. It should also be noted that the narrative fact that the monks had here in effect performed the deceased's funeral should already have favored their right to his estate if provisions found elsewhere in our *Vinaya* were already in place. Elsewhere our *Vinaya*—like *dharmaśāstra*—seems to indicate that only those who have performed the funeral rites have rights to inherit (see Schopen, *BSBM*, 213–214, for example). But our *Uttaragranth* texts never raise the issue, neither here nor in II in the parallel case of the dead nun, perhaps indicating their priority or independence.

17. H. Chatterjee, *The Law of Debt in Ancient India* (Calcutta: 1971) 211ff.

18. *Cīvaravastu*, GMs iii 2, 143.15–145.12.

19. Zhang Yisun et al., *Bod rgya tshig mdzod chen mo* (Beijing: 1985) 1041.

20. On the term *varṣaka* and the urban location of Buddhist nunneries, see G. Schopen, "The Urban Buddhist Nun and a Protective Rite for Children in Early North India," in *Pāsādikadānam. Festschrift für Bhikkhu Pāsādika* (Indica et tibetica 52), ed. M. Straub et al. (Marburg: 2009) 359–380. [= Ch. I above], and Schopen, "On Emptying Chambe Pots," 229–256 [= Ch. II above].

21. See Schopen, *BMBM*, 128–129, for the text and a translation; see also 137 and 14 for further examples in the same series.

22. T. Ganapati Sastri, The *Yājñavalkyasmṛti*, 2nd ed. (New Delhi: 1982), Vol. 2, 14 R. P. Kangle, *The Kauṭilīya Arthaśāstra*, 2nd ed. (Bombay: 1969) 3.16.37.

23. P. Olivelle, "Renouncer and Renunciation in the Dharmaśāstras," in *Studies i Dharmaśāstra*, ed. R. W. Lariviere (Calcutta: 1984) 144; see the discussion there for furthe references and the debate within the tradition as to how the verse is to be understood.

24. Schopen, *BMBM*, ch. 3, esp. 80–81 (= Schopen, "Doing Business for the Lor Lending on Interest and Written Loan Contracts in the *Mūlasarvāstivāda*-vinaya," *JOA* 114 [1994] 527–553, esp. 552–553).

25. R. Lingat, *The Classical Law of India* (Berkeley: 1978) 99–100.

26. *Cīvaravastu*, GMs iii 2, 117.8–121.5, esp. 119.8 (translated at Schopen, *BMBM* 115–116); also 115.9, 16; 116.15, 22; etc.

27. Schopen, *BMBM*, ch. 11.

28. Schopen, *FFMBI*, 133–136, esp. 135; contrast this with the role of nuns and la sisters in the account of another image procession from the same source; see G. Schope "Taking the Bodhisattva into Town. More Texts on the Image of 'The Bodhisattva' an Image Processions in the Mūlasarvāstivāda-Vinaya," *East and West* 55 (2005) (Studies i

the Archeology and Art History of the Indian Subcontinent and Afghanistan Dedicated to the Memory of Maurizio Taddei) 299–311 [= Ch. XVII below].

29. The same ambiguity that occurs in the parallel statement in I—see n. 16 above—also occurs here, and the same alternative rendering is possible here: "Are you the owners of what is in that place of yours?"

30. M. R. Kale, *The Mrichchhakatika of Sudraka* (Poona: 1924) 8.46+.

31. *Cīvaravastu, GMs* iii 2, 122.20–123.15.

32. I have taken *alasa* here as a piece of slang or intentional wordplay. It means "inactive, without energy, lazy, indolent, tired, faint," but in medical texts it or *alasaka* (both forms are used) means "flatulence"—see, for one example, D. Wujastyk, *The Roots of Āyurveda. Selections from Sanskrit Medical Writings*, rev. ed. (New Delhi: 2001) 72, and index, s.v. "flatulence."

33. A *bhagavān āha* has obviously and inadvertently dropped out of the manuscript here—see *Cīvaravastu, GMs* iii 2, 127.1–2; 9-. 10; 16-. 17 for the formula: *etat prakaraṇam bhikṣavo bhagavata ārocayanti / bhagavān āha* . . . which occurs hundreds of times.

34. For the assignment of multiple attendants to the sick and dying, see *Cīvaravastu, GMs* iii 2, 131.13: *yaḥ parṣadvinirmukto 'lpajñātaś ca tasya saṃghenopasthāyiko deyaḥ / glānāvasthāṃ paricchidya eko vā dvau vā saṃbahulā vā / antataḥ sarvasaṃghenopasthānaṃ karaṇīyam /*

35. On *jñāta* and *mahāpuṇya* in the sense of "famous" and "rich," see Schopen, *HHBMC*, 139–140. Monks who are so described are invariably further described—as here—as having extensive property. A monk who is the opposite of *jñāta* and *mahāpuṇya* is characterized as *alpajñāta*, and just as consistently further described as poor, barely subsisting, and without any supporting network; see the passage cited in n. 34 and its full context.

36. The exact sense of *jīvita-pariṣkāra* remains to be determined. It should mean something like "equipment for making a living," "means of livelihood."

37. For some preliminary remarks on the importance of caregiving in the *Mūlasarvāstivāda-vinaya*—from at least one angle—see Schopen, *BMBM*, 7–11.

38. E. Champlin, *Final Judgments. Duty and Emotion in Roman Wills* 200 B.C.–A.D. 250 (Berkeley: 1991) 87–102.

39. *Saṅghabhedavastu* (Gnoli) ii 59–64.

40. *Uttaragrantha*, Derge 'dul ba Na 260a.3–5.

41. J. Leslie and D. Wujastyk, "The Doctor's Assistant. Nursing in Ancient Indian Medical Texts," in *Anthropology and Nursing*, ed. P. Holden and J. Littlewood (London: 1991) 25–30.

42. For some examples, see *Cīvaravastu, GMs* iii 2, 128.1–131.15; 139.19–140.12; Schopen, *HHBMC*, 111–112.

43. For this expression see, as one of many possible examples, *Cīvaravastu, GMs* iii 2, 127.5. It is generally used to describe the disposal of a body without the performance of proper funeral rites and cremation by simply abandoning it in a *śmaśāna*. A. L. Basham notes that "in most literary references the *śmaśāna*, or cremation ground, is described as covered with putrefying corpses and haunted by dogs and vultures, rather than as the scene of cremation. The descriptions of such places show that many people in ancient India did

not cremate their dead, but . . . merely abandoned their bodies to the wild beasts" (*The Wonder That Was India,* 3rd ed. [New York: 1968] 178).

44. The text here has *der* but the corresponding passage in V has *de dag tu,* which is probably to be preferred.

45. For example, at *Cīvaravastu, GMs* iii 2, 118.13–121.5 (translated at Schopen, *BMBM,* 115–116); 139.6–143.14 (translated at ibid., 117–119). But see also *Cīvaravastu, GMs* iii 2, 145.10, where a monk's bowl and robes, when they are a "fiduciary deposit" (*prativastu*), could go to a layman (the exact sense of *prativastu,* however, remains to be determined).

CHAPTER V

On the Legal and Economic Activities of Buddhist Nuns

Two Examples from Early India

I. Re-visioning the Indian Buddhist Nun as a "Legal Person"

One of the most obvious limitations of even recent work on the economics and business or corporate law of Buddhist monasticism in early India has been its almost exclusive focus on male monasticism, on male monasteries and monks. Nuns and nunneries have here once again been overlooked or dropped between the cracks.[1] There is, of course, no good reason for this, especially since it has been clear for some time from Buddhist inscriptional records that up until the Gupta period, at least, nuns were as active as donors at Buddhist sites as were monks, and must therefore have had very considerable means and economic presence.[2] Even more recently it has also been noted that although textually nuns may have been hierarchically or ritually subservient to monks, this had—according to at least one *Vinaya* or monastic code—no bearing on their legal or economic status: for this *Vinaya* nuns had equal legal rights of ownership and economic independence.[3] This same *Vinaya*, the *Mūlasarvāstivāda-vinaya,* or closely related texts, moreover, deal with nuns who engage in a wide range of business enterprises, both licit and—according to the male authors of this code—illicit,[4] and who have at their disposal and use a series of sophisticated financial instruments. A comprehensive, detailed survey of all of this would be, of course, of considerable interest and importance for any future view of the Indian Buddhist nun, but such a survey is hardly possible now, and certainly not here: the investigation of these issues has just begun; the sources we must use are in some disarray and more often than not very difficult: the basic legal vocabulary is barely understood. Here, then, we can only make a start on two topics that will come to form a part of any such future survey: the use of negotiable promissory notes by Buddhist nuns, and their involvement in lending on interest funds that they held as permanent endowments. These two topics alone will amply illustrate the difficulties involved in pursuing these kinds of investigations, and will all too elegantly reveal how very far we have yet to go. But hopefully, too,

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they may reveal the potential of this kind of work for a badly needed re-visioning of the figure of the Indian Buddhist nun, and show again the—perhaps—unique importance of Mūlasarvāstivādin *Vinaya* sources for the legal historian.

II. A First Example. Litigious Nuns and Negotiable Loan Contracts

A first set of texts we might deal with here exemplifies many of the problems, the first of which is, appropriately enough, lexical—law after all is very much about the meaning of words. Both texts that follow here deal with Buddhist nuns and "promissory notes," and although neither text has come down to us in Sanskrit, and both must be filtered through their Tibetan translations, that "promissory note" is a reasonably correct translation is fairly certain, even if it is not a literal one. Indeed, in this case even the Sanskrit original might be recoverable.

In the first of our texts—the *Bhikṣuṇī-vibhaṅga* preserved in Tibetan—the term translated as "promissory note" is *chags rgya.* This compound does not occur in Jäschke's still amazing dictionary, nor does it seem to be in use in Modern Tibetan. It is, however, registered in both Roerich's *Tibetan-Russian-English Dictionary* and in the *Bod rgya tshig mdzod chen mo:* in the first it is defined as "promissory note," and the second, explicitly marking it as "old" (*rnying*), says it is *bu lon bda' ba'i dpang rgya,* literally "a witness-seal that calls in a debt," but neither gives a source, and both give a referent for the compound but not a meaning.[5] It is in more specialized studies like Takeuchi's *Old Tibetan Contracts from Central Asia* that we get a better sense of what the compound means. He says "*chags* as a transitive verb meaning 'borrow, make a loan'—is found only in Old Tibetan texts, where it also formed a compound noun *chags-rgya* or 'loan contract.'"[6] Obviously, the occurrence of at least the compound in the *Bhikṣuṇī-vibhaṅga* indicates that it is not limited to "Old Tibetan texts," but is also found in canonical Tibetan. In fact, the *Bhikṣuṇī-vibhaṅga* is almost certainly the source for the gloss found in the *Bod rgya tshig mdzod chen mo,* since that gloss is already found—word for word—in the old word commentary embedded in the former: *chags rgya zhes bya ba ni bu lon bda' ba'i dpang rgya'o.* Our second text, which may represent a second distinct redaction of the *Bhikṣuṇī-vibhaṅga* or a developed commentarial gloss, although it is almost certainly rendering the same Sanskrit original, adds an important detail: there the *chags rgya* or "promissory note" is explicitly said to be "a promissory note of debt," *bu lon gyi chags rgya.*

The value of *Vinaya* material dealing with nuns for legal history might already be apparent from the fact that it is only in these texts, it seems, that this important term is explained, and it is this explanation which alone allows a full understanding of, for example, another important legal text preserved in Sanskrit. The *Cīvaravastu* of the *Mūlasarvāstivāda-vinaya* has a text dealing with the disposition of an estate that is conveyed to the monastic Community by means of a written will (*patrābhilikhita*). Among the items included in the estate are two kinds of what are called *patralekhya*. The Sanskrit term refers, of course, to written documents, but the precise nature of these documents would not at all be clear without access to the Tibetan translation of the text *and* reference to our *Vinaya* texts dealing with nuns. In the Tibetan translation of the *Cīvaravastu*, the generic *patralekhya* is translated by *chags rgya*, providing another instance of the compound in canonical Tibetan, but more importantly, since the term *chags rgya* is precisely defined in the *Bhikṣuṇī-vibhaṅga*, it can be said with some confidence that the *patralekhya* referred to in the *Cīvaravastu* were loan contracts or promissory notes that called in a debt.[7] Both the *Cīvara* and *Bhikṣuṇī-vibhaṅga* texts, moreover, allow us to go even further. The first makes it clear that for Buddhist writers such promissory notes were fully inheritable and could be transferred to unrelated persons, both actual or juristic (i.e., the *Saṅgha*); the second shows that for these same writers these notes were negotiable, that is, were a "written security which may be transferred by indorsement and delivery, or by delivery merely, so as to vest in the indorsee the legal title, and thus enable him to bring a suit thereon in his own name"[8]—and bring suit is almost exactly what a Buddhist nun does in our first text.

The fact that our first text is found in the Tibetan translation of the *Bhikṣuṇī-vibhaṅga* also raises an issue that must be noted even though it cannot yet be resolved: no less of a luminary than Bu-ston has expressed doubts about whether or not the *Bhikṣuṇī-vibhaṅga* preserved in Tibetan belongs to the Mūlasarvāstivādin tradition, and some later Tibetan scholars have asserted even more strongly that it does not.[9] This, of course, would be extremely odd, and Bu-ston does not give any reasons for his hesitance, although it is certainly true that there are some significant differences between the versions of the *Prātimokṣa* rules that are found in the *Vibhaṅga* and in the separate Tibetan translation of the *Prātimokṣa-sūtra*. But since the translation of the *Bhikṣuṇī-vibhaṅga* is already registered in the old Lhan Kar Ma catalog, and was translated by the same team that translated the *Vinayavastu*, a team whose members were therefore not likely to be confused about such matters,[10] these differences could rather suggest that Mūlasarvāstivādin rules for nuns circulated in two different versions and that, in this case, we are lucky enough to have both. Should this be the case we would not have a problem but a welcome windfall. But, although clear links have already been noted between the *Bhikṣuṇī-vibhaṅga* preserved in Tibetan and the rest of Mūlasarvāstivādin *Vinaya* literature,[11] and although its reference to "promissory notes" appears to be another such link, the fact remains that the *Bhikṣuṇī-vibhaṅga* preserved in Tibetan has been very little studied, and a great deal of work will be required to sort this out. For the moment, then, and until it can be shown to be otherwise, it can only be a working hypothesis that we have preserved in Tibetan two variant versions of the Mūlasarvāstivādin rules for nuns.

Apart from these issues the text from the *Bhikṣuṇī-vibhaṅga* is, as a translation will show, reasonably clear in its general purport.

III. One Version of a Legal Tale: A Nun Should Not Take a Debtor to Court over a Loan Contract

Bhikṣuṇī-vinaya-vibhaṅga

(Derge 'dul ba Ta 123a.5–124a.2 = Tog 'dul ba Nya 165a.3–166a.3)

The Buddha, the Blessed One, was staying in Śrāvastī, in the Jetavana, in the Park of Anāthapiṇḍada.

At that time when a certain householder in Śrāvastī was struck with disease he gave gifts to ascetics and brahmins and the poor and the needy. The Nun Sthūlanandā heard about that merit-making and went then to where that householder was. When she arrived she recited Dharma for him, and, when she had finished, she said this to the householder: "Sir, since a woman is one who gets little you should give me at least a little something!"

He said: "Noble One, why did you not come earlier? When it appeared that I was to die I transferred everything to the other world."

Sthūlanandā said: "Alas, one should live a hundred years without any difficulty."

He said: "Noble One, can a promissory note (*chags rgya*) be accepted?"

"Sir," she said, "if you were to give it."

Then he gave it to her.

When Sthūlanandā had accepted the promissory note she went to the other householder (i.e., the debtor) and arriving there, she said to him, "Sir, you must repay this soon!"

The householder read it. When he had read it, he said: "Does this belong to you, Noble One?"

"It is mine," she said.

"I will be financially ruined."

But Sthūlanandā, having seized[12] that householder, said: "If you are not going to give this to me I will take you to the king's court!"

When she had said this he just sat there. A friend of his came along and said to him: "What has happened?"

He said: "I have been seized by a debt collector."

"Who is the debt collector?"

He said: "A nun."

His friend said: "But did you not obtain whatever was borrowed from someone else in the world?—What have you received from a nun?!"

Then brahmins and householders on that account were derisive, contemptuous and critical, saying, "The ascetic practice of Buddhist nuns has gone up in smoke since even a promissory note is prosecuted for seizure!"

> The nuns told this matter to the monks, and the monks also reported it to the Blessed One.
>
> The Blessed One, then, determined in regard to this situation . . . . . . and so on up to . . . a rule should be promulgated, said: "Further, when some nun prosecutes for seizure a promissory note, this practice alone would be an immediate offense and, together with its successful realization, it would be a violation involving suspension."
>
> "Further, some nun" means: Sthūlanandā.
>
> "promissory note" means: a witnessed marker that calls in a debt.
>
> "when one prosecutes for seizure" means: when it is taken.
>
> "this practice alone" means: presenting in regard to what is not good practice the word of good practice.
>
> "the other" [i.e., the debtor] means: the one bound (i.e., by the contract).
>
> Here if it is asked in what manner it would be an offense: when a nun prosecutes for seizure a promissory note, in accordance with the conditions it would be a violation involving suspension. In regard to one who gets with some difficulty, is the first to do it, etc., there is no offense.

This is a remarkable little text from several angles. It is remarkable first of all because, as we have seen, it alone allows us to fully understand what the *patralekhya* that were mentioned in the *Cīvaravastu* were. But beyond that it would seem to indicate that its authors—almost certainly men—took as a given that a Buddhist nun was a *legalis homo,* "a person who has full legal capacity and full legal rights."[13] The Buddhist nun they present can not only accept a promissory note that is given to her, but is explicitly said to own it. She not only has the right to "seize" its maker, but actually does so, and she has the right to take him to the secular courts, even if doing so results in an offense against Buddhist monastic rule. Notice that there would be absolutely no need or purpose for the monastic rule not to do so if the nun did not already have the acknowledged right to do it. If, in other words, the nun did not have the acknowledged right and capacity to "prosecute for seizure" in the secular courts a debt owed by a layman, a rule forbidding her to do so would make no sense. Notice too that according to the rule there is only an offense if she prosecutes for seizure. There is no offense if a nun accepts promissory notes or if she owns them. Indeed, the exception clause which ends the rule even allows prosecution for seizure if she is "one who earns with some difficulty," a status that might be claimed by any number of nuns under any number of circumstances and is claimed, at least obliquely, in our text. This, then, is a remarkable, if inadvertent—even hostile—portrait of the Buddhist nun as a fully independent legal person, and one would like to know the position of non-Buddhist Indian law on such figures since it may well be that Buddhist authors considered their nuns to be particularly litigious: although there appears